

1.0 Executive Summary

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St. Regis Mohawk Tribe Performance Partnership Agreement (Jan 1, 2006 - Dec 31, 2010)

The St. Regis Mohawk Tribe (Tribe) entered into a Performance Partnership Agreement (PPA) with the USEPA, Region 2 in 2000, effective from 2001 to 2005. This PPA ~~served~~serves as the primary environmental planning document for the Tribe and as a work plan for several of its programs. The investment in this innovative management tool was taken with the optimism and vision of long-term planning of goals and setting objectives for attaining those goals. The PPA clearly stated the direction the Tribe intended to go in order to achieve the highest degree of environmental quality for its community.

A renewal of this optimism and planning effort is a statement of the continued effort by the Tribe and the EPA as ~~a~~ partners to continue with the success of the previous PPA. With lessons learned and experienced gained in implementing the first PPA the Tribe and the EPA are prepared to mark the first decade and the beginning of the next with continuing progress toward mutual environmental goals.

The Tribe is integrating the newly stated EPA national and regional strategic plans into the new PPA to ensure parallel environmental effort and progress. The Tribe is also integrating community vision and goals into this PPA in order to direct its efforts on community based needs.

This document highlights the successes of the previous PPA as well as challenges that lead us to a better understanding of environmental planning and management. The new PPA is the product of the visions and commitment of Division managers and staff, past and present, as well as that of EPAs managers and staff, past and present. The new PPA is further shaped by experiences and lessons derived from examining progress made in achieving previously established goals. It retains the elements that worked well and refines other elements that indicated need for improvements. Focus and priority are also given by community involvement obtained at various levels of involvement.

This PPA covers the following goal areas: General Assistance, Air Quality, Water Quality, Safe Drinking Water, Wetlands, Environmental Education, Natural land & natural R-resources, Solid Waste, Hazardous Materials, and Cross Media~~hazardous waste—Superfund, environmental planning, and environmental capacity development.~~

The PPA captures the community concerns input obtained through public notifications and meetings.

2.0

3.0 STEERING COMMITTEES

TRIBE NEPPS Steering Committee and Work Group Members

The following individuals from Tribe's Environment Division and EPA Region 2 participated in the preparation of this PPA. Their dedication to the development of this new environmental management system is greatly appreciated.

Steering Committee

Tribe

Ken Jock - Director

Les Benedict – Assistant Director

Laura Weber – Solid Waste Director

Jessica Jock – Alcoa Remediation Oversight

EPA Region 2 Coordinators:

Christine Yost - Region 2 Indian Program Coordinator

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Comments and additional NEPPS-related documents

Comments on the goals, indicators and strategies/activities for consideration in modifications to this PPA or future PPAs, are welcomed. They may be submitted to:

Ken Jock or

Les Benedict

St. Regis Mohawk Tribe

Environment Division

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~~Hogansburg~~ Akwesasne, NY 13655

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Christine Yost or

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**PERFORMANCE PARTNERSHIP AGREEMENT
(Jan. 1, 2006 – Dec. 31, 2010)
ST. REGIS MOHAWK TRIBE
AND U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 2**

This Agreement describes our continued partnership for environmental protection for the St. Regis Mohawk Tribe lands, while also describing our expectations for the Tribal/Federal relationship. This agreement is built upon experience and wisdoms gained through implementation of the previous PPA, effective January 1, 2006 expiring December 31, 2010.

By signing this Agreement, the Tribe's Environment Division and the USEPA Region 2 recommit their agreement to continue utilizing the philosophies that are culturally important and significant and guiding principles embodied in the National Environmental Performance Partnership System (NEPPS) process. Additionally, this agreement reflects the strategies of EPA described in its National and Regional Strategic plans. This system emphasizes results-based management through the development of environmental priorities, goals and measures of progress appropriate for each individual state and federally recognized Indian nation. The environmental goals, indicators and agency commitments contained within this Agreement continue to be refined over time. This plan articulates Tribe's and Agency-wide directions and addresses federal and Tribal-funded strategies. This Plan includes, but is not limited to, directions and strategies in the areas of pollution prevention, compliance and enforcement, air quality, radiation, quality assurance, water quality, solid and hazardous waste, safe drinking water, pesticides, land and natural resources and management and budget. This Agreement will serve as the foundation of environmental protection at the Tribe and shall guide our joint environmental program performance through December 31, 2010.

The PPA agreement is a work plan for some programs between the Tribe and USEPA and is not binding on any other Federal agencies. By signing, Tribe and USEPA agree to be bound by the commitments set forth.

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Signed

Chief James Ransom, St. Regis Mohawk Tribe

Chief Margaret Terrance, St. Regis Mohawk Tribe

Chief Barbara Lazore, St. Regis Mohawk Tribe

Jane Kenny, USEPA Region 2 Administrator

This date, _____, 2004.

11.74.0 CULTURAL CONTEXT OHEN:TON KARIWATEKON

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Cultural Background for Mohawk PPA

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Precept: Mohawk people, member of the League of Nations, traditionally begin their proceedings by honoring and acknowledging all that has been provided to them by Mother Earth. The opening allows focus on matters at hand and unify all into a single frame of thought. Placing the Ohen:ton Kariwatekwen within this document provides the opportunity to recognize the thought and understanding that is required for protecting the environment.

The Division's 5 year plan is comprehensive and based on a culturally significant framework called the Ohen:ton Kariwatekwa, or Thanks-Giving address. The Ohen:ton Kariwatekwa is a means of understanding our environment and the connections which exist, and has been exercised in this way by Mohawk people for thousands of years. It is an address that is commonly recited at the beginning and end of gatherings of the people. The address recognizes, and gives greetings and thanks to all parts of our environment. As the address is spoken we affirm the relationship of we human beings to one another, and our relationship to the environment, and all of creation.

Ohen:ton Kariwatekwen – The Words Before All Else

The People: *Onkweshon: a*

Let us bring our minds and our hearts together this day, to consider all words brought forward. Let us remember our responsibility as human beings to live in peace with one another, and in harmony with all things. In this way we will complete this day, and return to our families, and our friends with a greater understanding of life, and a greater ability to love all forms of life. So be it in your mind. Now our minds are as one.

The Earth: *Iteti' nistenha Ohontsia*

Let us give thanks to the mother earth, who has sustained our ancestors, and relations since the beginning of time. Her skin, the soils, provide for all forms of life. From the dry desert sands to the moist earth of the forest, she gives to all. Her bones the rocks and stones support her, and the weight of all life, while maintaining strength and beauty as intended. Let us honor her with thanks. So be it in your mind. Now our minds are as one.

The Plants: *Tsi Shonkwaientho:wi*

Let us give thanks to the plants, which grow across the entire earth with great strength and beauty. From the mountaintops to the ocean depths, let us recognize their many forms. The sweet flower scents fill us with happiness. The trees give gifts of warmth through their burning heart and shape the homes we live in. The food plants sustain life, with fruits, vegetables and grain. And the medicine plants heal us, and our loved ones, when illness takes away our peace. Let us then recognize the plant life, and honor them. So be it in your mind. Now our minds are as one.

The Animals: *Kontiriio*

Let us give thanks to our closest relations the animals. We find great and many forms of life throughout creation. Within the water, the air, and upon the land we recognize these beings. From tiny animals in the water, barely visible to the eye, to the countless insects which jump, crawl and fly. From the great fish of the sea, to the birds of the sky. Four legged ones, small like a mouse, or great like a bear. They make up the web of life, and give up their lives to sustain one another, and us, we remain forever in their debt. Let us honor them. So be it in your mind. Now our minds are as one.

The Waters: *Ohneka' shon: a*

Let us give thanks to the waters of the earth. Water exists within all life, it fills us and surrounds us. We acknowledge its movement, and its sacred cycle. We recognize its many forms, from the rains, to the rivers and streams, to the great lakes and the oceans. Its ancient spirit quenches our thirst and sustains us, as it has done for our ancestors and the ancestors of all life. Let us recognize the waters, and their gift of life. So be it in your mind. Now our minds are as one.

The Winds: *Owera' shon: a*

Let us give thanks to the winds of the earth. From the four directions they come, carrying the rains upon their back, and bringing change to the weather and the seasons. They deliver our words, and can be gentle as a whisper, or have the power of a hurricane. The winds fill us, and connect us to all life, and are the breath of the ancestors of life. The winds are the sacred breath of the Creator. Let us acknowledge the winds. So be it in your mind. Now our minds are as one.

The Thunderers: *Ratiwe: ras*

Let us give thanks to the thunderers. The thunderers come to us in an approaching storm, they bring the rains which nourish all life. They renew and cleanse the earth with a flash of fire from their hearts. After the long winter, their voices wake the plants and the animals from their long sleep, to begin again the new cycle of rebirth. Let us give great thanks to the thunderers. So be it in your mind. Now our minds are as one.

The Sun: *Kionkehnekha Karahkwa*

Let us give thanks to our eldest brother the sun. From the first dawn at the beginning of creation the sun has given ~~it~~^{sits} strength to the universe. Every day rising in the east, we pass together through space to complete an endless westward journey, only to come once again on the new day. Shining with warmth and light the sun has shown strong, and allowed life to exist. Let us honor the sun. So be it in your mind. Now our minds are as one.

The Moon: *Ahsonthenekha Karahkwa*

Let us give thanks to the grandmother moon. Each night the moon brings light to the night sky. The moon's great strength guides the cycles of the ocean tides. The moon's spirit is strong, renewing the ~~season's~~^{seasons}, and renewing the sacred cycle of the female beings in order that life may be born into creation. Let us then recognize and honor the purpose and strength of the moon. So be it in your mind. Now our minds are as one.

The Stars: *Otsistanohkwa' son:a*

Let us give thanks to the stars of the sky. Each night the stars shine with great beauty in the night. The stars guide us along our paths, as they have done for our ancestors. They give strength to all life from across all distances of the universe. They remind us of the vastness of creation, and inspire us with wonder. Let us acknowledge the great and many stars of the sky. So be it in your mind. Now let our minds be as one.

The Creator: *Shonkwaia'tison*

Let us give thanks to the Creator. For all life, and all things which life depend upon in order to be, and all time, and every moment which passes, come through the will of the Creator. Both the artist and the painting, the Creator is the inspiration of thought, the source of all virtue, and the completion of all actions. Not only the seen creation, but ~~that~~ of the living spirit are eternally present through the Creator. So be it in your mind. Now let our minds be as one.

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11.7 PPA PROCESS AND CONTEXT

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PPA Process

This PPA or Agreement continues to set forth environmental directions for the Tribe and EPA Region 2. This long-range direction setting process is based on needs projected by Division Program Managers and community needs. Environmental goals and objectives, and where measurements of progress, indicators and efficiencies appropriate targets or milestones have been established for each program achieving the goals. Measures of progress, success or attainment are important for monitoring progress and determining whether the Tribes goals have been met. Also, providing measurements of success, where appropriate will be important for quantifying progress particularly where accountability and cost are a consideration. Measurement toward progress also provides a means to attenuate or adjust activities where appropriate in order to achieve goals. The parties to this specific Agreement are the Tribe and the USEPA, Region 2. This agreement serves as a major component of the performance and accountability results-based management efforts of both agencies.

This agreement declares the intent of the parties, Tribe and USEPA, to work together Jan 1, 2006 - Dec 31, 2010 in pursuit of a partnership in environmental protection for the Tribe. This document utilizes the National Environmental Performance Partnership System (NEPPS)

process, which is an approach designed to foster identification of environmental priorities and goals, and allows Indian nations to better direct federal resources to address those priorities through the use of environmental and human health indicators as long-term measurements ~~performance measures~~ of progress in environmental quality.

Efficiency relates program results to resources, such as people, time and funding to achieve goals. Measures of efficiency strengthen effectiveness measures and provide a means of accountability to community and USEPA and other funding agencies, which in turn support justification of budget requests for future programs.

This agreement will implement the General Assistance Program (GAP), air/water/land-based programs and initiatives, which are the foundation ~~of~~ the Division's operations. The overall goal of this PPA is to assess, protect and enhance the quality of the air, land, and surface water bodies and groundwater sources available to the Tribe, through efficient management of Tribal and federal resources.

The Tribe through its Environment Division, is entrusted with protecting the land, water, air, and directly manages the essential related programs to prevent disease and injury while promoting a lifestyle that respects, protects, and enhances the environment. USEPA's role is to oversee the implementation of Tribal-authorized programs, provide technical and analytical support for Tribal-authorized programs, and to directly implement non-authorized programs, in most cases, in coordination with Tribe, and with Federal financial assistance. This PPA reflects the mutual understandings reached between the Tribe and USEPA for program implementation and extent of oversight.

In implementing this agreement, an efficient and effective base program (GAP) within the Tribe is needed. In addition to the base program additional programs are needed to do more to solve specific problems, in particular places that have not or cannot be satisfactorily addressed through the implementation of base programs alone. It is these areas that the PPA will prove truly beneficial as goals and objectives that have been fully characterized can be presented to either the EPA or other agencies in seeking support.

In the effort to advance the establish a PPA, the Tribe ~~is~~ also seeks to continue with a Performance Partnership Grant (PPG) in the applicable areas of Water Quality 106, Clean Air 105, GAP, including development of Leaking Underground Storage Tanks (LUST-), Underground Injection Control (UIC), Pollution Prevention (P2), Safe Drinking Water, Water Quality 104 b(3), ~~Leaking Underground Storage Tanks, Section 319 Non-Point Source Program and Wetlands.~~ Combining these programs into a single PPA/PPG proved worthwhile and beneficial to the Tribe; providing greater flexibility to address its highest environmental priorities, and a reduction in administrative and programmatic effort and costs.

This program ensures continuing compliance with the network of national and tribal environmental laws and regulations necessary to protect human health and the environment. New tools and approaches to compliance are available that focus on risk to human health, communities and sensitive ecosystems, while sustaining a strong economy and environment for

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the next seven generations. Traditional knowledge and wisdom is a keystone to overall environmental protection for the Tribe.

Many lands, water and air quality issues remain to be solved at Akwesasne. These programs will require a level of analysis and pollutant control that go well beyond the traditional concepts of technology-based limits which will be augmented by, supplemented traditional knowledge and wisdom. Together, with matrix quality-based requirements for traditional point sources. Storm water runoff, combined sewer overflows, and non-point source contributions must be factored into our investigations. In addition, we must now conduct case-by-case analyses of the impacts of point and non-point source discharges on ambient water and air quality. These geographic- and pollutant-specific analyses will be essential in designing sensible plans that this community can afford and are equipped to support. The integrated plans are exactly the way Mohawks have traditionally worked out the interconnectedness of all of creation. This holistic approach is the basis of the environmental and life philosophy of the Mohawk people, as illustrated in the opening of the Thanksgiving address.

In order to establish this PPA, the Tribe's Environmental Division affirms to the USEPA and to the community that it will continue to successfully carry out its responsibilities. The partnership program calls for the Tribe's Environmental Division to:

- 1. Continue environmental and programmatic self-assessment, identifying program strengths, problem areas, and opportunities to strengthen;
- 2. Identify and select appropriate environmental and program performance indicators;
- 3. Assess its basic fiscal accountability;
- 4. Identify other organizations and departments and potential partners willing to join forces to protect and enhance Akwesasne's land, water, and air resources; and
- 5. Share with the community, information about environmental conditions, goals, priorities, and the year's achievements.

The long-range goal of both Tribe and USEPA is to protect public health and the environment by developing a system where these two agencies, in conjunction with other parties, work together for continuous gains in environmental quality and productivity.

This Agreement will be in place Jan 1, 2006 - Dec 31, 20112010. By mutual agreement, USEPA and the Tribe may include relevant modifications to this Agreement. Changes may be based on the information received during public outreach, changes in Tribe or federal regulations or law, information derived from environmental indicator trends, revised or new Tribe or national environmental goals, or changes in available resources. The parties may also mutually agree to any potential extension of this Agreement. For this period, the PPA covers all Tribe programs supported by USEPA grant dollars that are eligible to be involved in the NEPPS process,

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including those programs specifically eligible to be supported by the federal consolidated grant, referred to as the PPG.

In addition, ~~if in that~~ national program guidance changes, affecting the goals and objectives of program and project areas covered by this agreement, a separate work plan will be incorporated, agreed to by Tribe and USEPA, to include “new tasks”, rather than revising this PPA.

5.1

GOALS

5.1.1

TRIBAL ENVIRONMENTAL

The Tribes environmental goals were derived from ~~a~~ Environment Division staff experience and knowledge and special study. They were also derived through discussion with the Tribal governmental organization. The Division staff ~~has~~ve the greatest level of technical experience and knowledge regarding environmental issues on the reservation. Their expertise is a critical link between managing the resources available to them with the goals presented to them either by the community or in EPA's National, Regional and 500-day strategic plans. See Appendix A for details regarding Tribal Environmental goals.

~~4.1.1~~5.1.2 COMMUNITY

Community goals were derived from a series of community meetings hosted specifically ~~to~~ receive input on what the Tribal community considered important. The community goals have been prioritized according to their level of importance. See Appendix B for details regarding community goals.

~~10.4~~STRATEGIC PLANS

~~4.1.1~~5.1.3 NATIONAL STRATEGIC PLAN

The Government Performance and Results Act require ~~that~~s all federal agencies, like EPA ~~to~~, develop five-year Strategic Plans. A plan includes a mission statement and sets out long-term goals and objectives and annual performance plans with annual performance commitments toward achieving the goals and objectives presented in the Strategic Plan. Goals and objectives are directly linked to performance reporting, planning, budget and measurement. EPA's

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National Strategic Plan lays out clearly defined goals and measurable objectives for a 5 year period. See Appendix C for details regarding the National Strategic Plan.

~~11.1.1~~ 15.1.4 REGIONAL STRATEGIC PLAN

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The EPA Region 2 Strategic Plan is entirely reflective of the National Strategic Plan but more ~~precisely narrowly~~ prioritizes or focuses on goals within the Region. See Appendix D for details regarding the ~~Regional National~~ Strategic Plan.

~~11.1.1~~ 15.1.5 500-DAY STRATEGIC PLAN

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Very recently Governor Leavitt (Utah) became the Administrator of the USEPA. Upon his arrival he immediately instituted his principles of Enlibra and established an ambitious 500-day plan for implementing environmental protection. Enlibra and the 500-day plan embrace EPA's National Strategic Plan but places greater emphasis upon states, locals and tribes for environmental management. An accelerated pace for achieving EPA's environmental goals was also instituted to move his principles and EPA's plan along swiftly. See Appendix E for details regarding the 500-day strategic plan.

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~~10.4~~ ROLES AND RESPONSIBILITIES

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~~St. Regis Mohawk Tribe and USEPA have a wide range of responsibilities with respect to tribal and federal environmental programs, some of which are separate, and some of which are complementary.~~ The St. Regis Mohawk Tribe, as a federally recognized tribe, is the vehicle by which grants and cooperative agreements will be administered to the St. Regis Mohawk Reservation. The Tribe maintains administrative offices with an accounting and procurement system that allows it to administer and track funding in compliance with current federal requirements. The Tribe has developed and maintains a Manual of Financial Policies, which governs all internal controls, financial management and procedures for the Tribe. The Tribe will ensure that all funds are managed according to requirements governed by federal requirements and those that may be specified in grant conditions.

Through the Division the Tribe has a well trained and professional environmental organization to manage its environmental affairs. The Tribe authorizes the Division to seek the financial and technical resources it requires to fulfill the environmental goals of the tribe and to work in conjunction with EPA to identify and assess environmental conditions on the reservation and to work toward resolving those issues to the benefit of its people. The Division will ensure proper and effective utilization of resources obtained from the EPA, consistent with Tribal goals and EPAs strategic plans, policies and guidelines.

The Tribe's expectations from EPA are to provide greater presence from program managers at EPA by making more frequent visits to the Tribe. Initial or periodic visits by EPA program

managers to the Tribe are essential to establishing a communication baseline between each agency. Likewise the Tribe is committed to ensuring reciprocal visits as appropriate to achieving its goals.

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10.4 VESTED STEWARDSHIP STAKEHOLDER PARTICIPATION

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The Division involved Tribal departments (directors, managers and staff) in development of the PPA to provide the Tribal government as whole with a picture of the direction being set by the Division. This is important as many of the goals in the PPA directly affect Tribal or Tribally authorized programs, such as construction, procurement and general operations. One important means for communicating its commitment vision is to integrate the goals and objectives into the Tribe's administrative and operational affairs. There it can serve as an example to the community at large while making positive steps toward lessening impacts on the environment. Throughout Tribe's participation in this process, various mechanisms to inform the public and stakeholders of Tribe's efforts will be pursued. The process has provided for the presentation of the PPA to Tribal departments and solicitation of feedback and comment.

10.4.5.4 PUBLIC INVOLVEMENT PROGRAM

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The Environmental Division completed a public involvement campaign in the PPA development process with a public presentations and open comment throughout 2004 period from April through May 2000. Information was also distributed through Tribal government buildings and the local media and library. Public involvement will continues to be part of the PPA process throughout the life span of this agreement. Outreach and education measures will encourage and support partnerships at all levels to improve and protect Akwesasne natural resources.

10.4.5.5 ENVIRONMENTAL EDUCATION STATEMENT

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The Environment Division is strongly committed to proactively reaching out to the citizens of Akwesasne to raise awareness of the natural environment and environmental issues, to promote environmental stewardship and responsibility, and to educate citizens about the role of the Environment Division. USEPA will assist the Tribe in its Environmental Education endeavor efforts. The environmental education efforts fall into five basic categories: student internships, public events, school outreach programs, home visits, and on-line educational programs, publishing of the Iroquois Environmental Newsletter (IEN), hosting a website and other opportunities that might present themselves. Radio spots, newspaper articles, etc.

Environmental education programs will be divided into two focal areas: youth and citizen education. Education goals include: To develop separate citizen and youth-based environmental education programs; To identify, prioritize and develop an educational program that complements First Environment Research Projects and Indian Health Services; To educate all staff and government officials on current environmental issues and environmental protection.

10.45.6 ENFORCEMENT AND COMPLIANCE STATEMENT

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The Tribe and EPA will work together to provide fundamental protection for the Tribal community and ensure compliance with traditional teachings, environmental laws and regulations. The Environment Division is committed to ensuring that Tribal and Federal environmental standards, that are protective of the environment, are being met and that environmental regulations are being followed. The Environment Division realizes that in order to achieve compliance, outreach and education of its community members, including potential pollution source owners, ~~be to ensure all~~ are well informed and educated about the reasons for protecting the environment, in a manner that is reflective of the Mohawk cultural heritage and traditions. The Environment Division will continue to develop its enforcement capabilities in conjunction with efforts being made by the St. Regis Mohawk Tribal Council in the development of its courts system.

Enforcement/Compliance efforts will also require the development of Environment Division administrative and staff capabilities through training and technical assistance. Enforcement/Compliance may also be achieved through cooperative measures such as Memoranda of Agreement where appropriate.

10.45.7 QUALITY ASSURANCE STATEMENT

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The Environment Division is committed to quality work in all of its efforts, including sampling and data analysis. The Environment Division will continue to enhance and develop its Quality Assurance Management Plan (QAMP) and to administer it in all activities related to environmental monitoring and sampling. The Division will ensure the integration of EPA's Quality System policies and practices in each of its programs that collects and analyzes information in conjunction with environmental measurement and monitoring.

10.45.8 LEGAL STATEMENT

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An important facet of environmental management is that of addressing legal matters, whether in interpreting regulations and standards or in developing an enforcement case. In order to properly respond to legal issues the Environment Division is committed to working with the USEPA in obtaining the necessary assistance funds to manage them and in achieving compliance, consistent with appropriate environmental regulations.

10.35.9 SCOPE OF AGREEMENT AND ACCOUNTABILITY

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5.9.1 Programs Covered Under this Agreement

The areas to be covered under this Agreement include *air quality, water quality, wetlands ~~protection-development~~, solid waste, environmental health education, hazardous waste, hazardous materials planning and training, environmental planning, environmental laboratory, compliance and enforcement, legal, quality assurance, Geographic Information Systems (GIS)*

and ~~computer~~-technical support, environmental assessments, petroleum bulk storage, Underground Storage Tank (UST), Underground Injection Control (UIC) natural resource damage assessments, cultural resources, natural resources, forest resources, fisheries, wildlife conservation, agricultural resources, domestic animal welfare, alternative energy, environmental justice and pollution prevention. This Agreement also covers related compliance and enforcement, pollution prevention, innovative environmental technologies, legal, quality assurance and sustainability functions.

This PPA provides strategic planning and mutually agreed upon goals and objectives between Tribe and USEPA, Region 2. The commitments contained in this document do not constitute a commitment of funds by the USEPA or any other Federal agency. This PPA acknowledges that achievement of program commitments ~~is~~ dependent upon funding availability.

With respect to other program areas not administered by the USEPA, but by other Federal agencies, this PPA does not commit these agencies to providing technical or financial support. In these instances, this PPA, provides other Federal agencies with clearly defined goals and objectives of the Tribe that they might consider in their funding requests and in developing resources to support Tribe efforts.

5.9.2 Fiscal accountability

The main reason that the Tribe desires to enter a PPA with the USEPA is the flexibility to address priority environmental problems and the financial realities that the Tribe's Environmental Division faces. All funds will be managed in accordance with applicable Federal regulations and guidance. The Tribe houses an accounting department that manages Federal funds with established procedures that are consistent with Federal requirements, such as OMB Circular A-87, Common Rule A-102 and Public Law 93-638.

5.9.3 ~~Process for reporting success~~Indicators

The appropriate environmental and programmatic indicators at the national and tribal levels will be used to measure the success of the PPA delivered in Akwesasne by the Environment Division, USEPA and our partners. Many of these ~~measures and~~ indicators are specifically identified in conjunction with explicit performance expectations. Others are identified more generally and without performance expectations. The Environment Division and USEPA Region 2 through its commitments in this PPA and through dialogue will provide accurate ~~establish a work group to ensure that we have the ability to reporting~~ using quality-assured data for as many of the ~~measures and~~ indicators as possible, and to identify and implement other the steps as may be necessary for ensuring decision making is based on quality information so that we can report against a more complete set of indicators in future years.

The purpose of reporting successes is to demonstrate progress achieved in implementing the PPA. For USEPA, ~~it is in we are~~ meeting the requirements of federal laws, providing a good return on investment for USEPA funding, and improving ~~the our~~ protection of public health and

the environment. The messages for USEPA, the partners in all categories, and for the broader public are environmental progress achieved, the cost-effectiveness of partnerships and ways that potential partners can come into the process. The reporting process can also accomplish Tribal goals for satisfying community expectations and increasing environmental protection by providing an opportunity for feedback and recognition.

The Tribe and USEPA agree that reporting will be accomplished through semi-annual meetings, held at locations that are mutually agreed upon by both parties in advance of the meeting. The Tribe and USEPA will alternate in location selection and in appointing a scribe to record meeting minutes. Meeting minutes will constitute a PPA report. Certain programs may require more frequent, but less informal reporting, because of the amount and detail of data being generated. Fiscal reporting requirements, such as Financial Status Reports (FSR), will be submitted appropriate to the award conditions.

10.35.10 GOALS, OBJECTIVES, COMMITMENTS, MILESTONES AND MEASURES

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A fundamental premise of NEPPS is to encourage both Indian nation and federal program managers to focus on management for environmental results. As such, NEPPS calls for explicit articulation of environmental goals, and the development and use of environmental indicators to measure progress toward these goals. Enhanced understanding of environmental conditions is designed to lead to improving management strategies for the protection of public health and the environment. This Agreement contains the following five major elements: 1) Program description and summary, 2) Environmental Goals and Objectives, 3) ~~Long-term m~~Measures, 4) Indicators (long-term measures) and 5) Efficiencies (relates resources to program results). The structure of this Agreement is shown below:

1. Program Description
 - a. Brief background
 - b. Previous successes

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2. Environmental Goals
 - a. Overall Goal and/or Discrete Goal(s)
 - b. Objective(s)
 - c. Milestones - commitments and timeframe for achieving goal and objectives

Measures

3. Long-term measures

a. Progress toward goals

b. 3. Long-term Performance Measures

4. Indicators
5. Efficiency

5.10.1 Both environmental indicators and environmentally important program activities can be viewed as performance measures.

11.7 AGENCY MISSIONS

St. Regis Mohawk Tribe Environment Division

The St. Regis Mohawk Tribe (Tribe) Environment Division (Division) is committed to assisting the Akwesasne community in providing a high quality of life for the tribal community. Its mission is to assist the Tribe community in preserving, sustaining, protecting, and enhancing the environment for present and future generations.

United States Environmental Protection Agency

The people who work at the United States Environmental Protection Agency (USEPA) are dedicated to improving and preserving the environment - in this country and around the globe. Highly skilled and culturally diverse, we work with our partners to protect human health, ecosystems, and the beauty of our environment using the best available science. We value and promote innovative and effective solutions to environmental problems. We strive to achieve the productive and sustainable use of natural resources on which all life and human activity depend.

11.76.0 AIR QUALITY

The clean air program started in 1990 at Akwesasne. The program has focused on air toxins from industrial plants (Reynolds Metals and GM) and the impact that they have had on the reservation. The air toxics currently targeted are PAH's, Fluorides, Styrene and metals. Other

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air quality issue includes emissions from petroleum storage tanks and open garbage burning on the reservation.

The Air Quality Program has made significant progress in improving air quality for tribal members and in program capacity building. Significant successes include:

- Participation in Primary Aluminum Maximum Achievable Control Technology (MACT) development process with USEPA and NYSDEC and the aluminum industry.
- Installation of emission control systems at neighboring aluminum facility.
- Implementation of studies to characterize air toxics such as PAH, PCBs and heavy metals.
- Establishment of ambient air monitoring stations for NAAQS.
- Development of Emission Inventory for Mohawk Reservation.
- Collaboration on special air quality studies with the NYSDEC and local industry.
- Participation on national and regional air quality review boards (NESCAUM, NTAA, MAINE-VUE).
- Participation in National Acid Rain Deposition monitoring program.
- Development of Mohawk TIP and establishment of MOA for air quality enforcement.
- Development of Tribal burn regulation and permitting system.
- Community outreach and education for ambient and indoor air quality.
- Special asthma study for Mohawk reservation.
- Training and development of Tribal members in air quality management and sampling/monitoring.
- Development of Quality Assurance Project Plans for monitoring projects.

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The air quality at Akwesasne should be free of air pollutants at levels that can cause significant risk of cancer or respiratory or other health problems. The air should be clearer (i.e., less PAH's), and the impact of airborne pollutants on the quality of water and on plant life should be reduced.

Clean Air Section 105

Strengths:

~~With the assistance of the air program the Tribe is now able to monitor for PAH's on the reservation. Develop and implement work plans for the sampling of Styrene. A working relationship with Reynolds to develop vegetation sampling and PAH/fluoride risk assessment. Air emission inventory has been completed.~~

Problem Areas:

~~Development of a framework for air quality standards. Lack of Title V for industrial permitting process. The lack of sufficient staff to maintain and implement the overall program. The lack of analytical capability for real time determination of air pollution affecting Akwesasne.~~

Opportunities to Strengthen:

AIR QUALITY MISSION GOAL: To ensure a high quality of life for the tribal community by preserving, sustaining, protecting, and enhancing the air environment. Air quality across the region should be healthful for all its members and of sufficient purity not to degrade the quality of life or cause undue economic loss.

This PPA serves as the work plan for the Clean Air 105 program for the period 2001-2005, if necessary and appropriated, additional work plans may be required as negotiated between Tribe and USEPA.

Although the goals, objectives and commitments contained in this section are consistent with Clean Air 105 and Clean Air 103, the PPA does not make any work plan commitments for Clean Air 103. Because Clean Air 103 is a project and not a program, typically funded on a 3 year basis, work plans are subject to change and will have to be negotiated for each new project.

Table #. — Component Name	
Goal:	
Objectives	Time Period
	End
Objective 1:	
Objective 2:	
Objective 3:	
Objective 4:	
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

Indicators

Environmental

- Precipitation pH
- Mercury deposition
- Styrene
- PAH
- Particulate material
- Sulfur dioxide
- Nitrogen oxides

Policy

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- ☐ Minor source permit
- ☐ Tribal fluoride standards
- ☐ Tribal burn regulation

Progress Reporting

Because the Air Quality Program generates a great deal of data through monitoring, quarterly reports will be necessary for projects, in addition to the semi-annual reports. These quarterly reports are for the benefit of identifying problems that may arise in the sampling efforts so that corrections can be made more immediately.

The overall goal of the Air Quality Program is to ensure a high quality of life for the community of Akwesasne by preserving, sustaining, protecting, and enhancing the air we breathe. Air quality in and around Akwesasne should be healthful for all and of sufficient purity not to degrade the quality of life or cause undo loss.

The Tribe's Air Quality Program goals and objectives are in alignment with USEPA Goal 1, Clean Air and Global Climate Change and Objectives 1.1 Healthier Outdoor Air, Objective 1.2 Healthier Indoor Air, Objective 1.3 Protect the Ozone Layer, and Objective 1.5 Greenhouse Gas. They are also in alignment with Sub-Objectives 1.1.1 More People Breathing Cleaner Air and 1.1.2 Reduced Risk from Air Toxic Air Pollutants. Goal 5, Compliance and Environmental Stewardship, Objective 5.3, Build Tribal Capacity, and Cross-Goal Strategies (Partnerships, Information, Innovation, and Human Capital) are also reflected under the Tribe's Air Quality Program goals.

Table 6.1 –Air Toxics		
Goal: Minimize exposure to air toxics		
Objectives	Time Period	
	End	
Objective 1: Burn Regulation Implementation	2006	2010
Objective 2: Fluoride Standards	2006	2006
Objective 3: PAH Monitoring	2006	2010
Objective 4: Styrene Sampling	2006	2010
Measurements for Evaluating Results: Trend analysis, Emission Inventory		
Indicators: Number of (odor) complaints and visibility		
Efficiency: Quality Assurance Project Plans are written and approved for monitoring. Permits for open burning are reviewed, inspected and educated before approval.		

Table 6.2 –Regional Haze
Goal: Minimize exposure to criteria pollutants and their precursors

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<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
Objective 1: Monitoring SO ₂ , NO _x , O ₃	2006	2010
Objective 2: Participate in Regional Ozone Transport Assessment Group	2006	2010
Objective 3: Alert public to unhealthful air quality conditions.	2006	2010
Measurements for Evaluating Results: Trend Analysis, Air Quality Subsystem (AQS), Air Quality Index, and access to data throughout the region.		
Indicators: Number of unhealthy days (AQI), Number of days in non-attainment.		
Efficiency: Quality Assurance Project plans written and approved before sampling/monitoring takes place.		

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Table 6.3 – Component Name		
Goal: Monitor levels of Air Deposition		
<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
Objective 1: Participation in National Air Deposition Program	2006	2010
Objective 2: Mercury Deposition Network-Research	2006	2006
Objective 3: Mercury Deposition Participation	2007	2010
Measurements for Evaluating Results: Trend Analysis		
Indicators: Correlation with water and soil will show an increase or decrease in the affects of acid rain. Annual reports generated by the Central Analytical laboratory will show increase and/or decreases in pollutants regionally.		
Efficiency: Project is run in accordance with the National Air Deposition Program and follows their procedures and policies.		

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Table 6.4. – Indoor Air Quality		
Goal: Minimize the adverse effects of indoor air pollution		
<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
Objective 1: Community Outreach Home visits	2006	2010
Objective 2: Community Education/Awareness	2006	2010
Measurements for Evaluating Results: Education on issues affecting Indoor Air Quality.		
Indicators: Number of calls/complaints, mold/water intrusion issues.		
Efficiency: Keeping updated on the rules and regulations on remediation of unhealthy air in homes.		

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Table 6.5 – Tribal Implementation Plan		
Goal: Minimizing future emissions		
Objectives	Time Period	
	Begin	End
Objective 1: Implementation Minor Source Permitting	2006	2010
Objective 2: Implementation Burn Regulations	2006	2010
Measurements for Evaluating Results: Compliance/Enforcement		
Indicators: Applications filled out throughout the year. Results of any fines and/or penalties.		
Efficiency: Compliance		

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Table 6.6 – Community of Akwesasne		
Goal: Promote greater community awareness and public involvement		
Objectives	Time Period	
	Begin	End
Objective 1: Participate in local forums-Wellness Day	2006	2010
Objective 2: Presentations for local schools	2006	2010
Objective 3: Hold workshops for community members	2006	2010
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

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Table 6.7 – Tribal Relationships		
Goal: Collaboration with other organizations: Tribal, State, Local, National, and/or Federal.		
Objectives	Time Period	
	Begin	End
Objective 1: Participate in the National Tribal Air Association	2006	2010
Objective 2: Participate in trainings/internships with Institute for Tribal Environmental Professionals	2006	2010
Objective 3: NYSDEC-Individual Projects	2006	2010
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

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Table #. — Component Name	
Goal:	
Objectives	Time Period
	End
Objective 1: Objective 2: Objective 3: Objective 4:	
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

10.4

10.4103

Table #. — Component Name	
Goal:	
Objectives	Time Period
	End
Objective 1:	
Objective 2:	
Objective 3:	
Objective 4:	
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

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11.7 WATER QUALITY

Problems in Akwesasne waters are being worked on, focusing primarily on point source controls presently and for the future looking at non point source problems. The Tribe relies on technical guidance and development of tribal regulations and using program grants efficiently. The Program will look to more community outreach and information sharing when dealing with water quality problems in the future.

Water quality improvements have been attributed to improved treatment of municipal and/or industrial waste up stream. Conventional pollutant data, such as nutrients, ammonia, nitrogen, and phosphorous are still needed and would correct poor farming practices. Approximately 20 miles of rivers in the reservation are impaired by Point and Non point sources. Point sources of toxic and conventional pollutants are a major contributor to water quality impairment. Non point sources are just as problematic and continue to be a contributor to water quality impairment. Toxic pollutants significantly affect the Great Lakes, which feed the St. Lawrence River. Contaminated sediments cause the major portion of impairment. Local dredging projects have been undertaken to remove contaminated sediments at Alcoa and General Motors. One major project by Alcoa has yet to be done on the Grasse River, which feeds the St. Lawrence upstream of Akwesasne.

Construction activity is the most frequently cited non point source of water quality impairment contributing excess silt in waterways. Agriculture, although limited, still cause excess nutrient waste to waterways by allowing cattle to be in direct contact with streams and rivers. Nutrients cause excessive weed and algae growth, which can impair the use of the water for boating, swimming, fishing, and water supply. Silt causes excessive turbidity, which impairs swimming, fish propagation, and water supply, uses.

Hydrologic / Habitat modification is also a frequently cited source of water quality impairment in rivers. This includes a variety of activities that change the nature of a stream corridor or wetland area. Changes such as the bed and banks of a stream, dredging or filling of wetlands, and removal of riparian vegetation from stream banks. Man made surface i.e. dams, can cause detrimental effects both upstream and downstream of a dam. Water level fluctuations within the impoundment disturb fish habitat. Changes in downstream flow conditions also affect fish survival and spawning.

Surface runoff is cited as another primary non point source of water quality impairment. Runoff is contaminated with silt, pathogen indicator bacteria, petroleum products, heavy metals, and oxygen demanding substances. Pathogen indicator bacteria are present in water from runoff and

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other sources such as: boats, point sources, waterfowl, and on-site disposal systems. The primary causes of impairment are contaminated bottom sediments and other non-point sources for surface waters; petroleum products and metals in groundwater. Improvement will require simultaneous implementation of remediation and pollution prevention and education programs. Maintenance and expansion of the water programs is a major problem. The program is looking towards providing Safe Drinking water to all Akwesasne residents by controlling point and non-point sources to Akwesasne waters. This included Groundwater as well as surface water. All residents should have contaminant free drinking water and be safe and comfortable in utilizing this water from the Water Treatment System. Private wells, if utilized, should also be contaminant free for humans as well as a livestock. The institution of a Drinking Water Advisory Committee and involvement of all stakeholders in developing the tribal program for source water assessment and protection is planned. Technical assistance, particularly through cooperation with EPA, can be increased to support efforts by the public water system and institute source water protection. Outreach and education will be a major component to keep residents and businesses informed of pollution prevention.

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Programs that are developed to ensure the protection and enhancement of the biological, chemical, recreational, spiritual, traditional, and cultural uses of our waters are:

- ☐ CLEAN WATER 106
- ☐ CLEAN WATER 104
- ☐ NON POINT SOURCE 319
- ☐ Public Water System Supervision (PWSS)

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CLEAN AND PLENTIFUL WATER GOAL STATEMENT: Rivers, lakes and wetlands waters will be fishable, swimmable and support ceremonial uses and provide healthy ecosystems. Surface and Ground water will be a clean source of water. Every resident will have safe drinking water. Adequate quantities of surface and ground water will be available for all needed uses.

Water Quality Program Goal 1: Surface Waters

Objective:

- Protect, enhance, and sustain aquatic life.
- Protect Recreation Uses.
- Provide healthier fish communities to Akwesasne.
- Provide stable and strict water quality standards.

Long Term Measures:

—Problems in Akwesasne waters are being worked on, focusing primarily on point source controls presently and for the future looking at non-point source problems. The Tribe relies on technical guidance and development of tribal regulations and using program grants efficiently. The Program will look to more community outreach and information sharing when dealing with water quality problems in the future.

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Hydrologic/Habitat modification is also a frequently cited source of water quality impairment in rivers. This includes a variety of activities that change the nature of a stream corridor or wetland area. Changes such as the bed and banks of a stream, dredging or filling of wetlands, and removal of riparian vegetation from stream banks. Man made surface i.e. dams, can cause detrimental effects both upstream and downstream of a dam. Water level fluctuations within the impoundment disturb fish habitat. Changes in downstream flow conditions also affect fish survival and spawning.

Surface runoff is cited as another primary non-point source of water quality impairment. Runoff is contaminated with silt, pathogen indicator bacteria, petroleum products, heavy metals, and oxygen demanding substances. Pathogen indicator bacteria are present in water from runoff and other sources such as: boats, point sources, waterfowl, and on-site disposal systems. The primary causes of impairment are contaminated bottom sediments and other non-point sources for surface waters; petroleum products and metals in groundwater. Improvement will require simultaneous implementation of remediation and pollution prevention and education programs. Maintenance and expansion of the water programs is a major problem.

The program is looking towards providing Safe Drinking water to all Akwesasne residents by controlling point and non point sources to Akwesasne waters. This included Groundwater as well as surface water. All residents should have contaminant free drinking water and be safe and comfortable in utilizing this water from the Water Treatment System. Private wells, if utilized, should also be contaminant free for humans as well as livestock. The institution of a Drinking Water Advisory Committee and involvement of all stakeholders in developing the tribal program for source water assessment and protection is planned. Technical assistance, particularly through cooperation with EPA, can be increased to support efforts by the public water system and institute source water protection. Outreach and education will be a major component to keep residents and businesses informed of pollution prevention.

Programs that are developed to ensure the protection and enhancement of the biological, chemical, recreational, spiritual, traditional, and cultural uses of our waters are:

CLEAN WATER 106

CLEAN WATER 104

NON POINT SOURCE 319

Public Water System Supervision (PWSS)

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Accomplishments / Major Milestones:

- WQS are close to completion, addressing comments from USEPA.
- Solid PCB data in sediments and fish.
- Reliable data and expanded dataset.
- PCB's aren't increasing in fish tissue at a major rate.
- QA/QC program followed.
- Two major dredging efforts in St. Lawrence River, monitoring for trends.
- Point Sources reduced and monitored.
- Non Point Source program initiated.
- Environmental Assessments utilized.
- Erosion control and BMP's are utilized.
- Shoreline restoration projects initiated.
- Water quality trends documented and reported annually.
- Source Water Assessment completed and Management Plan documented.
- Drinking Water meets EPA standards, increasing number of homes on public water system.

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CLEAN AND PLENTIFUL WATER GOAL: Rivers, lakes and wetlands waters will be fishable, swim able and support culturally healthy ecosystems. Surface and Ground water will be a clean source of water. Every resident will have safe drinking water. Adequate quantities of surface and ground water will be available for all needed uses. Tribal goals reflect EPA's National goal, Clean and Safe Waters and Objectives 2.1 Protect Human Health, and Objective 2.2 Protect Water Quality. Sub-objectives 2.1.1, Water Safe to Drink, 2.1.2 Fish and Shellfish Safety, 2.1.3 Water Safe for Swimming, and 2.2.1 Improve Water Quality on a Watershed Basis are also reflected in the Tribe's goals.

Table 7.1 – Surface Waters

Goal: Protect tribally designated water uses. (Protect, enhance, and sustain aquatic life. Protect Recreation Uses. Provide healthier fish communities to Akwesasne. Provide stable and strict water quality standards.) Our surface waters will support human and ecosystem health and applicable uses such as culture, recreation, fishing, drinking water supply, agriculture and industry by 2008.

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<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: Identifying sources of pollution, provide ways to reduce through education of pollution prevention first.</u> <u>Objective 2: Take necessary enforcement action if education does not work.</u> <u>Objective 3: Control non point sources of pollution and utilize 401 certification statuses.</u> <u>Objective 4: Education and Outreach to Construction companies and activities</u> <u>Objective 5: Reduce effluent loadings, failing septic systems.</u> <u>Objective 6: Monitor fish concentrations and Utilize Natural Resource Damage Assessments</u> <u>Objective 7: Utilize Risk Based protocols and past community survey results.</u> <u>Objective 8: Provide technical and cultural approach in working with local industry in clean up strategies.</u> <u>Objective 9: Work with local agencies to develop new advisories for community by 2010.</u> <u>Objective 10: Monitoring of permits for compliance Monitor Storm water.</u> <u>Objective 11: Utilize EPA CDX (Central Database Exchange) for electronic reporting.</u> <u>Objective 12: Electronic database exchanged of information.</u>		
<u>Measurements for Evaluating Results: Sustainable aquatic life in all rivers with reduction of pollution through education and enforcement by 75%.</u>		
<u>Indicators: Construction companies utilize Best Management Practices during construction and maintain these structures afterwards until vegetation grows or soil is stabilized. Failing septic systems are identified and corrected. Effluent loading decreased. Compliance of all Permits. Healthier fish by way of cleaner habitats from remediation decisions. Increased consumption, decreased advisories by 2010. Over fishing enforced, habitats sustained. Cleaner water, Culture sustained.</u>		
<u>Efficiency:</u>		

Table 7.2 – Ground Water

Goal: To protect and enhance the quality of ground water and assure that adequate quantities of ground water will be available for domestic, municipal, industrial and other purposes, as well as serving a vital role in maintaining the aquatic ecology and sustaining culture by providing ground water base flow to receiving surface waters.

<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: Monitor existing wells and create additional monitoring wells.</u> <u>Objective 2: Oversee environmental assessment and response to accidental spills.</u> <u>Objective 3: Education and outreach to community. Enforcement of Water Quality Standards.</u> <u>Objective 4: Storm water monitoring – non-point source control</u> <u>Objective 5: Utilize EPA CDX.</u> <u>Objective 6: Prevention of future or continued ground water contamination through pollution prevention, education/outreach or other activities by 2007.</u> <u>Objective 7: Assist environmental health officer in efforts to eliminate contamination.</u> <u>Objective 8: Awareness, Outreach, and education.</u>		
<u>Measurements for Evaluating Results: Ground water quality will meet all standards for designated uses by 2007. Ground water discharges to surface water will not adversely impact the surface water system. Reduce fecal coliform in wells by 90% Reduce volatile organic compound (VOC) contamination by 90%. Decreased VOC's in Groundwater.</u>		
<u>Indicators: Monitor wells, reduce further contaminants from public. Environmental assessment / response to spills. Public awareness and enforcement of Water Quality Standards. Safe and useable groundwater for the public. Cleaner groundwater will improve surface water quality. Groundwater protected. Culture sustained. Exchange of information implemented.</u>		
<u>Efficiency:</u>		

Table 7.3 – Non-point Source Pollution 319

Goal: To protect streams, rivers, watersheds from non point source pollution.

<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: Utilize Environmental assessments as part of permit process in conjunction with 106 programs.</u> <u>Objective 2: Provide oversight and inspection of all Construction activities to ensure proper BMP's are being utilized on site and that they are maintained.</u> <u>Objective 3: Use 401 certification and General Storm water Permit Rule.</u> <u>Objective 4: Provide oversight of all fuel stations to ensure proper drainage controls are in place and contamination is limited.</u> <u>Objective 5: Provide oversight in farming practices to control animal waste in local streams and rivers.</u>		
<u>Measurements for Evaluating Results: Healthier, bacteria free surface water by 2010; levels at <220 colonies/ml. TSS and SS meet tribal standards 40 mg/l. Storm water permit compliance at +80%.</u>		
<u>Indicators: EA's are completely filled out and approved before construction. BMP's utilized by all Construction companies. Spill containment measures are in place and equipment is utilized at all fuel stations. Proper fencing and alternate water sources are in place for farmers. Management Plan implemented for Source Water protection. Storm water runoff monitored in all areas. Rivers are fishable and swimmable. Erosion is controlled and maintained at all sites, preventing sedimentation in streams and rivers. Decreased TSS, decrease in algae bloom and bacteria. Healthier and safe habitat for spawning organisms. Healthier overall ecosystems.</u>		
<u>Efficiency:</u>		

Table 7.4 – Drinking Water PWSS

Goal: To ensure plentiful sources of safe drinking water are maintained for the people of the St. Regis Mohawk Tribe for consumption and beneficial uses.

<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: By 2007 100% meet all drinking water standards</u> <u>Objective 2: Update Vulnerability Assessment</u> <u>Objective 3: Waterborne disease free water by 2007.</u> <u>Objective 4: VOC free water in 100% of homes by 2008</u> <u>Objective 5: Lead free water by 2010 in 95% of homes and 100% of schools.</u> <u>Objective 6: Protect drinking water use through Non point control</u> <u>Objective 7: Educate community on importance of conservation and how water gets to homes.</u>		
<u>Measurements for Evaluating Results: Compliance with Drinking water standards and Consumer Confidence Reports (CCR). Quality Control with use of Watertrax on line database service. Emergency Response Planning utilized CC report to public, follow disinfection protocol, if necessary Lead free water in schools. Environmental assessment on new and existing well uses.</u>		
<u>Indicators: Safe Drinking Water for Akwesasne. Educated community members on drinking water and conservation.</u>		
<u>Efficiency:</u>		

Table 7.5 – Water Monitoring 104b(3):

Goal: To preserve, protect, and restore the water quality of the Mohawk Territory through the use of cooperative processes.

<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: Conduct water quality assessment and reporting for Akwesasne river resources.</u> <u>Objective 2: 95% of waters are within standards and support Tribal uses by 2010</u> <u>Objective 3: Provide support to other Tribal departments with water quality needs.</u> <u>Objective 4: Conduct public outreach activities and education in the Mohawk community concerning basic issues of water quality monitoring by 2006</u> <u>Objective 5: Cooperate with other agencies in managing water quality impacting Akwesasne Rivers.</u> <u>Objective 6: Unified Assessment by 2010 Develop annual water quality report to public. Convert to 305(b) reporting style by 2007.</u> <u>Objective 7: Continue oversight and monitoring of water quality.</u> <u>Objective 8: Continue to develop database into STORET.</u> <u>Objective 9: Utilize EPA's Water Quality Index.</u> <u>Objective 10: Assist other water programs with necessary information and support, (e.g. UWA, CWAP).</u>		
<u>Measurements for Evaluating Results: Annual and periodic trends analysis.</u>		
<u>Indicators: Fishable, Swimmable waters in Akwesasne. Effluent loading decreased.</u>		
<u>Efficiency:</u>		

Table 7.6. – Watershed Management Through Clean Water Action Plan and Unified Watershed Assessment

Goal: Develop Watershed Management Program

<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: Community Involvement, Public education and information sharing.</u> <u>Objective 2: Identify watershed problems.</u> <u>Objective 3: Develop plan of action.</u> <u>Objective 4: Coordinate with St. Lawrence and Franklin County Water quality Coordinating committees.</u> <u>Objective 5: Research watershed management utilized by other agencies</u>		
<u>Measurements for Evaluating Results: Implementation of Plan of action and a community Unified Watershed assessment.</u>		
<u>Indicators: Eliminated PCB, Mercury, and Fluoride discharges. Collaborate with Industry PCB / PAH Hot spot removal in waterways. Collaborate with Industry. Reduce fish advisories by 2010. Correspond with Environmental Health officer. Protection of biological, chemical and recreational uses of surface waters. Protect and enhance designated uses by 2010. Tribal Water Standards adherence. All Akwesasne homes have clean drinking water by 2008. Cooperation with all Construction Companies regarding erosion control and NPS controls by 2006. Increased number of knowledgeable community members regarding water pollution and prevention. Increased Outreach and Education using Kwis and Tiio cartoons. Activities based upon available funding.</u>		
<u>Efficiency:</u>		

Indicators:

Sustainable aquatic life in all rivers with reduction of pollution through education and enforcement by 75%.

Construction companies utilize Best Management Practices during construction and

Maintain these structures afterwards until vegetation grows or soil is stabilized.

Failing septic systems are identified and corrected.

Compliance of all Permits.

Healthier fish by way of cleaner habitats from remediation decisions.

Table 1. — Surface Waters

Goal: Our surface waters will support human and ecosystem health and applicable uses such as recreation, fishing, drinking water supply, agriculture and industry by 2008.

Commented [LB14]: In citing % changes, are they based on some baseline measurements? What are they? Where are we now?

Objectives	Time Period
	End
<p>Objective 1: Identifying sources of pollution, provide ways to reduce through education of pollution prevention first.</p> <p>Objective 2: Take necessary enforcement action if education does not work.</p> <p>Objective 3: Control non point sources of pollution and utilize 104 certification status.</p> <p>Objective 4: Education and Outreach to Construction companies and activities.</p> <p>Objective 5: Monitor Stormwater.</p> <p>Objective 6: Reduce effluent loadings, failing septic systems.</p> <p>Objective 7: Monitoring of permits for compliance.</p> <p>Objective 8: Monitor fish concentrations and work with local agencies to develop new advisories for Subsistence communities by 2010.</p> <p>Objective 9: Utilize Natural Resource Damage Assessments</p> <p>Objective 10: Utilize Risk Based protocols and past community survey results.</p> <p>Objective 11: Provide technical and cultural approach in working with local industry in clean up strategies.</p>	
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

Water Quality Program Goal 2: Ground Water

To protect and enhance the quality of ground water and assure that adequate quantities of ground water will be available for domestic, municipal, industrial and other purposes, as well as serving a vital role in maintaining the aquatic ecology by providing ground water base flow to receiving surface waters.

Objective:

Ground water quality will meet all standards for designated uses by 2007.

Ground water discharges to surface water will not adversely impact the surface water system.

Reduce fecal coliform in wells by 90%

Reduce volatile organic compound (VOC) contamination by 90%.

Monitor existing wells and create additional monitoring wells.

Commented [LB15]: It was suggested by EPA that the oversight of construction and installation of tanks for fuel storage be added to this section.

Oversee environmental assessment and response to accidental spills.
 Education and outreach to community.
 Enforcement of Water Quality Standards.
 Stormwater monitoring—nonpoint source control

Long Term Measures:

Prevention of future or continued ground water contamination through pollution prevention, education/outreach or other activities by 2007.
 Monitor wells, reduce further contaminants from public.
 Environmental assessment / response to spills.
 Assist environmental health officer in efforts to eliminate contamination.
 Awareness, Outreach, and education.

Indicator:

Public awareness and enforcement of Water Quality Standards.
 Safe and useable groundwater for the public.—Cleaner groundwater will improve surface water quality.

Table #.—Component Name	
Goal:	
Objectives	Time Period
	End
Objective 1: Objective 2: Objective 3: Objective 4:	
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

Water Quality Goal 3: Non Point Source—319:

To protect streams, rivers, watersheds from non point source pollution.

Objective:

Utilize Environmental assessments as part of permit process in conjunction with 106 programs.
 Provide oversight and inspection of all Construction activities to ensure proper BMP's are being utilized on site and that they are maintained.

Provide oversight of all fuel stations to ensure proper drainage controls are in place and contamination is limited.
 Provide oversight in farming practices to control animal waste in local streams and rivers.

Long Term Measures:

EA's are completely filled out and approved before construction.
 BMP's utilized by all Construction companies.
 Spill containment measures are in place and equipment is utilized at all fuel stations.
 Proper fencing and alternate water sources are in place for farmers.

Indicators:

Healthier, bacteria free surface water by 2008. — Rivers are fishable and swimmable.
 Erosion is controlled and maintained at all sites, preventing sedimentation in streams and rivers.
 Healthier and safe habitat for spawning organisms.
 Healthier overall ecosystems.

Table #. — Component Name	
Goal:	
Objectives	Time Period
	End
Objective 1: Objective 2: Objective 3: Objective 4:	
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

Water Quality Program Goal 4: SAFE DRINKING WATER (PWSS)

To ensure plentiful sources of safe drinking water are maintained for the people of the St. Regis Mohawk Tribe for consumption and beneficial uses.

Objective:

By 2007 98% meet all drinking water standards
 Update Vulnerability Assessment
 Waterborne disease free water by 2007.
 Lead free water by 2010 in 95% of homes and 100% of schools.

VOC free water in 100% of homes by 2006
Protect drinking water use through Non point control

Long Term Measure:

~~Compliance with Drinking water standards and Consumer Confidence Reports (CCR).—Quality Control with use of Watertrax on line database service.~~
~~Emergency Response Planning utilized~~
~~CC report to public, follow disinfection protocol, if necessary~~
~~Lead free water in schools.~~
~~Environmental assessment on new and existing well uses.~~

Commented [LB16]: As per J. McKenna, this is fine for the PPA but does not apply to wells unless it is a transient system. Keep this in mind for annual work plan development.

Indicator:

Safe Drinking Water for Akwesasne.

Water Quality Goal 5: 104b(3):

To preserve, protect, and restore the water quality of the Mohawk Territory through the use of cooperative processes.

Objective:

~~Conduct water quality assessment and reporting for Akwesasne river resources.~~
~~95% of waters are within standards and support Tribal uses~~
~~Provide support to other Tribal departments with water quality needs.~~
~~Conduct public outreach activities and education in the Mohawk community concerning basic issues of water quality monitoring by 2006~~
~~Cooperate with other agencies in managing water quality impacting Akwesasne Rivers.~~
~~Unified Assessment by 2010.~~

Long Term measures:

~~Develop annual water quality report to public.—Convert to 305(b) reporting style by 2007.~~
~~Continue oversight and monitoring of water quality.—Continue to develop database into STORET.~~
~~Utilize EPA's Water Quality Index.~~
~~Assist other water programs with necessary information and support, (eg. UWA, CWAP).~~

Indicator:

Fishable, Swimmable waters in Akwesasne.

Table #.	Component Name
Goal:	

Objectives	Time Period
	End
Objective 1: Objective 2: Objective 3: Objective 4:	
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

Water Quality Goal 6: CLEAN WATER ACTION PLAN and UNIFIED WATERSHED ASSESMENT

Objective:

~~—Community Involvement, Public education and information sharing. — Identify watershed problems. Develop plan of action.~~
~~—Coordinate with St. Lawrence and Franklin County Water quality Coordinating committees. Develop plan of action~~

~~Long Term Measure: Implementation of Plan of action and a community Unified Watershed assessment.~~

~~Indicator: Manageable watersheds upstream and downstream~~

Program Efficiency:

~~☐ Eliminated PCB, Mercury, and Fluoride discharges. — Collaborate with Industry~~
~~☐ PCB / PAH Hot spot removal in waterways. Collaborate with Industry~~
~~☐ Reduce fish advisories by 2010. — Correspond with Environmental Health officer.~~
~~☐ Protection of biological, chemical and recreational uses of surface waters. Protect and enhance designated uses by 2010.~~
~~☐ Tribal Water Standards adherence.~~
~~☐ All Akwesasne homes have clean drinking water by 2008.~~
~~☐ Cooperation with all Construction Companies regarding erosion control and NPS controls by 2006.~~
~~☐ Increased number of knowledgeable community members regarding water pollution and prevention. Increased Outreach and Education using Kwis and Tiio cartoons.~~

Table #. **Component Name**

Goal:

Commented [LB17]: Comments for Cyndy Belz: Watershed Management and planning has only been addressed in one area, under the CWAP. The CWAP has been expanded to include all watershed management thinking, planning and implementation. She suggests Water Quality Goal 6 reflect this change if possible. The long term measure could read; Implementation of the Watershed Management Plan of action and the Community Watershed Assessment. Has the watershed assessment been completed last year? Does it need to be revised to meet current conditions? She suggests that the CWAP is replaced with Watershed management planning where reference is made to CWAP. Also, the indicator, Manageable watersheds upstream and downstream, can this be made more clearly defined? Suggested to send to Terry Ipolito for educational component comments.

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Commented [LB18]: Clarification is needed for this statement – perhaps it should read to mean, “reduce the need for” fish advisories.

Objectives	Time Period
	End
Objective 1: Objective 2: Objective 3: Objective 4:	
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

7.1

10.4 WETLANDS

Wetlands Protection Program

Wetlands have always been critically important to the culture, health, education and welfare of the Mohawk people. Wetlands have been used throughout our history to teach the balance of nature, provide medicinal plants and support wildlife. Wetlands are also connected to the overall health of the St. Lawrence River and its tributaries because they provide fish spawning areas, waterfowl habitat and water quality benefits. As wetlands are degraded, many of the wetland functions and values are being lost.

The Wetlands Protection Program recognizes the value wetlands hold for the community. However, they also recognize the need for on-going community development. The Program has therefore devoted significant time and effort to identifying the extent and value of wetlands on our lands. Because of the history of loss and damage, the Program has adopted a policy of “no net loss” of wetlands.

To achieve the policy of “no net loss” of wetlands, the Program foresees accomplishing several long-term goals and short-term objectives.

Goals and Objectives

~~1. Mapping and Inventory: maps are a prerequisite for wetland inventory and for wetland development planning, management, protection, and restoration. Maps provide information on wetland type, location, and size. Inventories are used for the development of comprehensive resource management plans, environmental impact assessments, habitat surveys, and the analysis of trends in wetland status.~~

~~a. Mapping: collect data on wetland type, location and size using GIS and remote sensing. Update every three years.~~

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Commented [LB19]: In highlighting previous successes it was suggested to mention the achievement of the freedom school wetlands construction, having mapped hydrologic areas, etc.

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~~b. *Inventory*: develop a database containing actual and expected species occurrences using field surveys and remote sensing. Update every three years.~~

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~~2. *Sanctuary*: envisioned as a multiple resource management area. Hunting, fishing and trapping would be managed activities. A series of interconnected nature trails could be developed that would take visitors into the heart of the sanctuary. A visitor's center could also be developed as part of an environmental and cultural education complex.~~

~~a. *Research*: explore opportunities for acquiring appropriate lands and funding resources.~~

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~~3. *Community Awareness*: wetlands will not be protected if the regulations are not enforced. The best way to protect wetlands is to educate the community of their benefits. If the community does not recognize the benefits of wetland preservation, wetlands will not be preserved. Protection can be accomplished only through the cooperative efforts of community members.~~

Commented [LB20]: Suggestion from EPA to make mention of Kwiss and Tio in the SW section as a model for outreach and education tool.

~~a. *Outreach*: provide the community the opportunity to review our procedures, policies and methods.~~

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~~b. *Education*: provide the community with the tools to understand wetlands and their functions.~~

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~~4. *Akwesasne Wetlands Conservation Act*: the Wetlands Protection Program is responsible for administration, implementation and informal interpretation of the regulations.~~

~~a. *Protect functions and values*: develop a wetlands evaluation system utilizing a Tiered approach to identify significant wetlands.~~

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~~b. *Project Review*: continue reviewing wetland permit applications and issuing permits when appropriate.~~

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~~e. *Enforcement*: the number of community complaints about wetland activities has increased since the adoption of the AWCA, presumably because of increased awareness about the importance of wetlands. Continue with follow up of complaints.~~

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~~d. *Water Quality Standards*: review annually and update as necessary.~~

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~~5. *Compliance with Federal Clean Water Act*: Section 401 water quality certification any applicants for a federal license or permit under Section 402 and/or Section 404 must obtain certification from the Tribe's Water Program that the discharge is consistent with the Federal Clean Water Act and the SRMT Water Quality Standards.~~

Commented [LB21]: Suggestion from EPA to insert objective of EPA to notify tribe of any actions

~~a. *401 water quality certification*: continue reviewing federal licenses and permits that may affect Tribal waters, including wetlands and issuing the appropriate certification. Ensure that federal agencies properly notify the Tribe of any pending permitting actions.~~

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~~b. *404 Permitting*: regulated activities are controlled by a permitting process. For frequent discharges that will have only minimal adverse effects, the Program will develop general~~

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permits. These may be issued for particular categories of activities (i.e., minor road crossings, utility line backfill, and bedding) as a means to expedite the permitting process.

6. Bioassessment: to help track progress in maintaining and restoring the health of our waters, the most direct and effective way to assess the "health" or biological condition of waterbodies is to directly measure the condition of their biological communities, and support those data when necessary by measuring the physical and chemical condition of waterbodies and their watersheds.

a. Collect Supporting Information: collect background information and identify potential threats to the waterbody's condition. Annually.

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b. Perform Standard Tests and Measurements: Directly measure biological attributes of the waterbody. Conduct standard observations and measurements of the chemical and physical characteristics (e.g., temp, pH) of the wetland and its surrounding landscape. Annually.

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c. Compare to Reference Conditions: compare the environmental conditions of the waterbody to a minimally impacted reference site of the same type and region. The reference site should provide a range of biological and environmental conditions that would be expected in that type of waterbody and region in the absence of human disturbances. Annually.

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Mapping and Inventory: maps are a prerequisite for wetland inventory and for wetland development planning, management, protection, and restoration. Maps provide information on wetland type, location, and size. Inventories are used for the development of comprehensive resource management plans, environmental impact assessments, habitat surveys, and the analysis of trends in wetland status.

Tribal wetlands program goals reflect EPA's National goal, Clean and Safe Waters and Objective 2.2 Protect Water Quality and Improve Water Quality on a Watershed Basis are also reflected in the Tribe's goals. Cross-Goal strategies, Partnerships, Information, Innovation, Human Capital and Science are also achieved under the Tribe's wetland program.

Table 7.1.#-1 - Component Name Mapping and Inventory

Goal: Develop mapping and inventorying tools

Objectives	Time Period
	Begin End
Objective 1: <u>Mapping:</u> collect data on wetland type, location and size using GIS and remote sensing. Update every three years. Objective 2: <u>Inventory:</u> develop a database containing actual and expected species occurrences using field surveys and remote sensing. Update every three years. Objective 2: Objective 3: Objective 4:	
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

Sanctuary: envisioned as a multiple-resource management area. Hunting, fishing and trapping would be managed activities. A series of interconnected nature trails could be developed that would take visitors into the heart of the sanctuary. A visitor's center could also be developed as part of an environmental and cultural education complex.

Table 7.1.2 – Wetland Sanctuary		
Goal: Develop sanctuary		
Objectives	Time Period	
	Begin	End
Objective 1: <u>Research:</u> explore opportunities for acquiring appropriate lands and funding resources.		
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

Community Awareness: wetlands will not be protected if the regulations are not enforced. The best way to protect wetlands is to educate the community onf their benefits. If the community does not recognize the benefits of wetland preservation, wetlands will not be preserved. Protection can be accomplished only through the cooperative efforts of community members.

Commented [LB22]: Suggestion from EPA to make mention of Kwiss and Tiio in the SW section as a model for outreach and education tool.

Table 7.1.3 – Community Awareness		
Goal: Protect wetlands through community education		
Objectives	Time Period	
	Begin	End
Objective 1: <i>Outreach:</i> provide the community the opportunity to review our procedures, policies and methods		
Objective 2: <i>Education:</i> provide the community with the tools to understand wetlands and their functions.		
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

Akwesasne Wetlands Conservation Act: the Wetlands Protection Program is responsible for administration, implementation and informal interpretation of the regulations.

Table 7.1.4 – Wetlands Protection
Goal: Protect wetlands through Tribal Wetlands Conservation Act

<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: <i>Protect functions and values:</i> develop a wetlands evaluation system utilizing a Tiered approach to identify significant wetlands.</u>		
<u>Objective 2: <i>Project Review:</i> continue reviewing wetland permit applications and issuing permits when appropriate.</u>		
<u>Objective 3: <i>Enforcement:</i> the number of community complaints about wetland activities has increased since the adoption of the AWCA, presumably because of increased awareness about the importance of wetlands. Continue with follow-up of complaints.</u>		
<u>Objective 4: <i>Water Quality Standards:</i> review annually and update as necessary.</u>		
<u>Measurements for Evaluating Results:</u>		
<u>Indicators:</u>		
<u>Efficiency:</u>		

Compliance with Federal Clean Water Act: Section 401 water quality certification-any applicants for a federal license or permit under Section 402 and/or Section 404 must obtain certification from the Tribe's Water Program that the discharge is consistent with the Federal Clean Water Act and the SRMT Water Quality Standards.

Commented [LB23]: Suggestion from EPA to insert objective of EPA to notify tribe of any actions

404 Permitting: regulated activities are controlled by a permitting process. For frequent discharges that will have only minimal adverse effects, the Program will develop general permits. These may be issued for particular categories of activities (i.e., minor road crossings, utility line backfill, and bedding) as a means to expedite the permitting process.

<u>Table 7.1.5 – Federal Clean Water Act Compliance</u>
<u>Goal: Attain compliance with Clean Water Act 401 and 404</u>

<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: 401 water quality certification: continue reviewing federal licenses and permits that may affect Tribal waters, including wetlands and issuing the appropriate certification. Ensure that federal agencies properly notify the Tribe of any pending permitting actions.</u> <u>Objective 2: 404 Permitting: regulated activities are controlled by a permitting process. For frequent discharges that will have only minimal adverse effects, the Program will develop general permits. These may be issued for particular categories of activities (i.e., minor road crossings, utility line backfill, and bedding) as a means to expedite the permitting process.</u>		
<u>Measurements for Evaluating Results:</u>		
<u>Indicators:</u>		
<u>Efficiency:</u>		

Bioassessment: to help track progress in maintaining and restoring the health of our waters, the most direct and effective way to assess the "health" or biological condition of waterbodies is to directly measure the condition of their biological communities, and support those data when necessary by measuring the physical and chemical condition of waterbodies and their watersheds.

<u>Table 7.1.6 – Bioassessment</u>
<u>Goal: Track restoration progress</u>

<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1:</u> <i>Collect Supporting Information:</i> collect background information and identify potential threats to the water body's condition. Annually.		
<u>Objective 2:</u> <i>Perform Standard Tests and Measurements:</i> Directly measure biological attributes of the water body. Conduct standard observations and measurements of the chemical and physical characteristics (e.g., temp, pH) of the wetland and its surrounding landscape. Annually.		
<u>Measurements for Evaluating Results:</u> <i>Compare to Reference Conditions:</i> compare the environmental conditions of the water body to a minimally impacted reference site of the same type and region. The reference site should provide a range of biological and environmental conditions that would be expected in that type of water body and region in the absence of human disturbances. Annually.		
<u>Indicators:</u>		
<u>Efficiency:</u>		

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11.78.0 HAZARDOUS WASTE AND HAZARDOUS MATERIALS

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10.48.1 SUPERFUND

The Environment Division operates the Core Superfund Program and Core Site Specific Programs to assist it with developing response and response administrative capabilities. The Core program focuses on administrative and technical training of Division staff to permit them to effectively and safely respond to releases of hazardous materials and conducting site assessments at sites where hazardous substances might be found. The site-specific program is designed to allow the Tribe to participate in remedial design and remedial action activities at the General Motors Superfund and the Alcoa Superfund Sites, Massena, NY. The Site Specific programs provide financial and technical assistance specific to these sites. An important part of these activities is keeping community members informed of activities and progress made at these sites and collection and analysis of verification samples.

The Tribe's goals and objectives for Superfund programs are congruent with EPA's National Strategic Plan Goal 3, Land Preservation and Restoration; Preserve and restore land by using innovative waste management practices and cleaning up contaminated properties to reduce risks posed by releases of harmful substances, sub-objective 3.2.1: Prepare for and Respond to Accidental and Intentional Releases and sub-objective 3.2.3: Maximize Potentially Responsible Party Participation at Superfund Sites.

This PPA establishes long-term objectives of the Tribe with regard to Hazardous Waste Superfund activities, but does not constitute an annual work plan that is required for the core program and the Site Specific Programs.

The Tribes' Hazardous Waste and Hazardous Materials goals reflect EPA National Strategic Plan goal, Land Preservation and Restoration and Objective 3.1 Preserve Land and Objective 3.2 Restore Land and Sub-Objective 3.1.2 Manage Hazardous Wastes and Petroleum Products Properly, Sub-Objective 3.2.2 Clean Up and Restore Contaminated Land, Sub-Objective 3.2.3 Maximize Potentially Responsible Party Participation at Superfund Sites. Also, reflected is Goal 4 Healthy Communities and Ecosystems, Objective 4.2 Communities, Sub-Objective 4.2.1 Sustain Community Health, 4.2.2 Restore Community Health, and 4.2.3 Assess and Clean Up Brownfields.

1. Maintain and develop administrative, financial and cost recovery capability
 - a. Apply for funding from EPA
2. Maintain and develop response capability

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- a. Train new staff
- b. Maintain training of current staff
- 3. Provide administrative oversight of staff
 - a. Update and maintain Standard Operating Procedures
 - b. Update and maintain Health and Safety Plans
- 4. Monitor hazardous waste and chemical activities affecting the Tribe
- 5. Communication with community
 - a. Provide regular updates
 - b. Provide health and exposure information

Long Term measures: Reduction in community exposures to hazardous substances.

Indicators: Regained confidence in use of natural resources due to reduced contamination reduction

Efficiency: Collaborative effort with local industry in information releases and updates; consultation with ATSDR, utilization of local media for press releases. Utilization of FEMA and EPA training resources.

Table 8.#-1 – Component Name Tribal Capacity

Goal: <u>Maintain and develop administrative, financial and cost recovery capability</u>		
Objectives	Time Period	
	-Begin	End
Objective 1: <u>Apply for funding from EPA</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Maintain and develop response capability</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Train new staff</u>	<u>2006</u>	<u>2010</u>
Objective 4: <u>Maintain training of current staff</u>		
Objective 5: <u>Monitor hazardous waste and chemical activities affecting the Tribe</u>		
Measurements for Evaluating Results: <u>Maintained funding, increased capability, number of staff trained, maintained training, number of hazardous waste/chemical activities impacting tribe.</u>		
Indicators: <u>Tribal capacity to respond to hazardous waste emergencies.</u>		
Efficiency:		

Table 8.2 – Oversight and Management

Goal: Provide administrative oversight of staff

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<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: Update and maintain Standard Operating Procedures</u>	<u>2006</u>	<u>2010</u>
<u>Objective 2: Update and maintain Health and Safety Plans</u>	<u>2006</u>	<u>2010</u>
<u>Measurements for Evaluating Results: Annual review and update of SOP. Worker protection, elimination/reduction of exposures and accidents.</u>		
<u>Indicators: Maintained awareness, reduction/elimination of worker health effects due to chemicals.</u>		
<u>Efficiency:</u>		

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Table 8.3 – Community Outreach		
Goal: Update and inform community regarding hazardous waste and hazardous waste site activities.		
<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: Communication with community</u>	<u>2006</u>	<u>2010</u>
<u>Objective 2: Provide regular updates</u>	<u>2006</u>	<u>2010</u>
<u>Objective 3: Provide health and exposure information</u>	<u>2006</u>	<u>2010</u>
<u>Measurements for Evaluating Results: Reduction in community exposures to hazardous substances.</u>		
<u>Indicators: Regained confidence in use of natural resources due to reduced contamination reduction.</u>		
<u>Efficiency: Collaborative effort with local industry in information releases and updates, consultation with ATSDR, utilization of local media for press releases. Utilization of FEMA and EPA training resources.</u>		

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8.2

8.2 PLANNING AND TRAINING, ENVIRONMENTAL RESPONSE TEAM

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The Environment Division is responsible for ensuring that the community is safe from hazardous waste and hazardous materials. When correctly handled, transported and stored hazardous substances can be safely managed. Improper management results in human and environmental exposures, health effects, cleanup costs and lost or limited use of resources.

The Environment Division is responsible for ensuring that proper planning and training for preparing the Tribe, its staff and the community for the uncontrolled release of hazardous substances.

The Tribe's goals and objectives for Hazardous Waste Hazardous Materials – Planning and Training, Environmental Response programs are congruent with EPA's National Strategic Plan Goal 3, Land Preservation and Restoration; Preserve and restore land by using innovative waste management practices and cleaning up contaminated properties to reduce risks posed by releases of harmful substances, ~~sub~~Sub-objective 3.2.1: Prepare for and Respond to Accidental and Intentional Releases.

Goals and Objectives

1. Understand the nature and extent of the flow of hazardous substances through the community
 - a. Work in conjunction with the Tribes Emergency Planning Office to obtain commodity flow information on transportation corridors
 - b. Monitor for the establishment of businesses and tribal operations with potential for the introduction of hazardous substances into the community
 - c. Study local industry regarding the nature and character of hazardous substances stored, used or released at their facilities
 - d. Maintain and study response records

Long Term measures: Not applicable

Indicators: Not applicable

Efficiency: Collaboration with Tribal Emergency Planning Office

2. Reduce hazardous substance exposures to the community
 - a. Provide education and awareness to the community regarding hazardous substances
 - b. Respond to hazardous substance releases and uncontrolled sites
 - c. Work with business and tribal operations to manage chemical usages

Long Term measures: Reduce exposures to community

Indicators: Reduction in number of accidental releases and occurrence of uncontrolled sites

Efficiency: Coordination with other agencies and resources

3. Maintain response readiness
 - a. Provide and maintain staff response capability through training
 - b. Utilize training programs from EPA and other State, County and Federal Agencies
 - c. Review and revise emergency response plans in conjunction with Tribal Emergency Planning Office
 - d. Maintain equipment and supplies adequate for first line of defense capability
 - e. Maintain a response readiness "Notification List" for requesting assistance
 - f. Participate in Tribal, County, State and International emergency response exercises
 - g. Develop and maintain Environment Division Standard Operating Procedures and Health and Safety Plans
 - h. Develop Memoranda of Understandings with appropriate response organizations/agencies

Long Term measures: Not applicable

Indicators: Not applicable

Efficiency: Coordination with other agencies for training and response

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Table 8.2.#-1 – Component NameAssessment	
Goal: <u>Understand the nature and extent of the flow of hazardous substances through the community</u>	
Objectives	Time Period <u>Begin</u>
Objective 1: <u>Work in conjunction with the Tribes Emergency Planning Office to obtain commodity flow information on transportation corridors</u>	<u>2006</u> <u>2010</u>
Objective 2: <u>Monitor for the establishment of businesses and tribal operations with potential for the introduction of hazardous substances into the community</u>	<u>2006</u> <u>2010</u>
Objective 3: <u>Study local industry regarding the nature and character of hazardous substances stored, used or released at their facilities</u>	<u>2006</u> <u>2010</u>
Objective 4: <u>Maintain and study response records</u>	<u>2006</u> <u>2010</u>
Measurements for Evaluating Results:	
Indicators:	
Efficiency: <u>Collaboration with Tribal Emergency Planning Office.</u>	

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Table 8.2.2 – Reduced Exposures	
Goal: <u>Reduce hazardous substance exposures to the community</u>	
Objectives	Time Period <u>Begin</u> <u>End</u>
Objective 1: <u>Provide education and awareness to the community regarding hazardous substances</u>	<u>2006</u> <u>2010</u>
Objective 2: <u>Respond to hazardous substance releases and uncontrolled sites</u>	<u>2006</u> <u>2010</u>
Objective 3: <u>Work with business and tribal operations to manage chemical usages</u>	<u>2006</u> <u>2010</u>
Measurements for Evaluating Results: <u>Reduce exposures to community.</u>	
Indicators: <u>Reduction in number of accidental releases and occurrence of uncontrolled sites.</u>	
Efficiency: <u>Efficiency: Coordination with other agencies and resources.</u>	

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Table 8.2.3 – Tribal Response Preparedness		
Goal: Maintain response readiness		
Objectives	Time Period	
	Begin	End
Objective 1: Provide and maintain staff response capability through training	2006	2010
Objective 2: Utilize training programs from EPA and other State, County and Federal Agencies	2006	2010
Objective 3: Review and revise emergency response plans in conjunction with Tribal Emergency Planning Office	2006	2010
Objective 4: Maintain equipment and supplies adequate for first line of defense capability	2006	2010
Objective 5: Maintain a response readiness “Notification List” for requesting assistance	2006	2010
Objective 6: Participate in Tribal, County, State and International emergency response exercises	2006	2010
Objective 7: Develop and maintain Environment Division	2006	2010
Objective 8: Standard Operating Procedures and Health and Safety Plans	2006	2010
Objective 9: Develop Memoranda of Understandings with appropriate response organizations/agencies	2006	2010
Measurements for Evaluating Results: Not applicable.		
Indicators: Not applicable.		
Efficiency: Coordination with other agencies for training and response.		

These goals and objectives are reflective of EPA National Goal 4, Healthy Communities and Ecosystems; more specifically to protect the health of people, the community and ecosystem by utilizing a comprehensive and partnership approach. They also reflect Objective 4.1 Chemical, Organism and Pesticide Risks, Sub-objective 4.1.4 Reduce Risks at Facilities in protecting first responders during the event of chemical emergency or on-site response.

8.48.3 BROWNFIELDS

As the population and the economic base of the St. Regis Mohawk Tribe increases there is an ever-increasing demand for additional lands. Realty property may also be acquired through land claims settlements, endowments and business enterprises. Some land acquisition and its use or development may be complicated by the presence or potential presence of hazardous substances. To be able to address these situations the Tribe will need to build its capacity to manage a BrownfieldsBrownfield’s program. The Tribe’s goals and objectives for BrownfieldsBrownfield’s align with the EPA National Goal 3, Land Preservation and Restoration; Preserver and restore land by using innovative waste management practices and cleaning up contaminated properties to reduce risks posed by releases of harmful substances, Sub-objective 3.2.2: Clean up and Reuse of Contaminated Land.

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Goals and Objectives

Overall goal is to provide the Tribe with the capacity and ability to develop Brownfield's programs where they might be appropriate.

Develop Brownfield program capacity

Research Brownfield program

Attend Brownfield training and/or conferences when and where appropriate

Meet with Region 2 Brownfield program personnel

Implement Brownfield program

Access funding support for Tribal Response Program

Provide training to staff responsible for Brownfield program

Implement Brownfield assessment program

Restore Brownfield sites

Long Term measures: Increased capacity to assess and respond to Brownfield sites.

Indicators: Restoration of Brownfield sites to economically beneficial uses for the Tribe.

Efficiency: Coordination with State, Federal and Local government and non-governmental agencies where appropriate.

Table 8.3.#-1 – Component Name Brownfield		
Goal: <u>Develop Brownfield program capacity</u>		
Objectives	Time Period	
	<u>-Begin</u>	<u>End</u>
Objective 1: <u>Research Brownfield program</u>	<u>2006</u>	<u>2010</u>
<u>Attend Brownfield training and/or conferences when and where appropriate</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Meet with Region 2 Brownfield program personnel</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Implement Brownfield program</u>	<u>2006</u>	<u>2010</u>
Objective 4: <u>Access funding support for Tribal Response Program</u>	<u>2006</u>	<u>2010</u>
Objective 5: <u>Provide training to staff responsible for Brownfield program</u>	<u>2006</u>	<u>2010</u>
Objective 6: <u>Implement Brownfield assessment program</u>		
Objective 7: <u>Restore Brownfield sites</u>		
Measurements for Evaluating Results: <u>Increased capacity to assess and respond to Brownfield sites.</u>		
Indicators: <u>Restoration of Brownfield sites to economically beneficial uses for the Tribe.</u>		

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Efficiency: Coordination with State, Federal and Local government and non-governmental agencies where appropriate.

8.4 PETROLEUM BULK STORAGE

Accomplishments

The St. Regis Mohawk Tribe has been active in the Petroleum Bulk Storage Program for a number of years now. The inspection process has been developed and continuous annual inspection cycles have occurred since 1993. Since that time a number of underground storage tanks have been removed and a majority of filling stations on the reservation employ above ground storage tanks. There are only two active underground storage tanks left in use and there are plans to remove them and replace with AST's.

Containment systems have improved since the programs inception. Currently the majority of containment systems are in compliance with the PBS regulations. One system is being replaced and another is scheduled for replacement.

A training program is being developed with the first offering consisting of a Fire Extinguisher Training held four times during the third quarter of 2003.

Overall Project Statement

The St. Regis Mohawk Tribe wishes to fulfill its obligation to Environmental Protection by implementing Tribal Petroleum Bulk Storage (PBS) regulations to insure proper safeguarding of the environment from potential petroleum releases and other possible hazards associated with Petroleum Bulk Storage.

The Tribe's PBS goal and objectives reflect EPA National Strategic Plan Goal 3 Land Preservation, Objective 3.1 Preserve Land, Sub-objective 3.1.2 Manage Hazardous Wastes and Petroleum Products Properly.

Table 8.4.1 – Petroleum Bulk Storage Program		
Goal: The overall project goal is to regulate and inspect all petroleum bulk storage facilities licensed by the St. Regis Mohawk Tribe. The intent of the Petroleum Bulk Storage program is to develop and maintain safeguards that will insure that all aspects of petroleum bulk storage provide environmental protection.		
Objectives	Time Period	
	Begin	End
Objective 1: Regulate all fill station and marinas licensed by St. Regis Mohawk Tribe (SRMT).	Jan 2006	Dec 2010
Objective 2: Educate all interested parties on regulations and proper procedures.	Jan 2006	Dec 2010
Measurements for Evaluating Results: Reduced spillage and emergency responses to PBS facilities. Pre & Post test results given at training sessions.		
Indicators: Increased scores in Post test indicate knowledge increases.		
Efficiency: A database will be developed and used to maintain inspection records for facilities.		

The Tribe, under the GAP program, developed a Petroleum Bulk Storage Program to ensure that gasoline and fuel were being properly stored and spill prevention measures were being incorporated into operational plans at retail fuel stations. The program has been developing Bulk Petroleum Storage regulations, conducting inspections, and coordinating efforts with the Tribes compliance office regarding Tribal licensing as part of its activities. The program has also been active in bringing training to local fuel dealers and their staff in order to provide and understanding of spill prevention, emergency response, new technologies and operational techniques. The program has also been vital to introducing these training elements to other Iroquois Nations in New York State.

Indicators

- ☐ Gas stations in compliance with PBS regulations
- ☐ Reduction in accidental releases

Additional Work Plans

Because funding and guidance is not multiyear for USEPA Petroleum Bulk Storage and Leaking Underground Storage Tank programs, the flexibility for negotiating applicable commitments for a particular year is necessary. This will be achieved by supplementing the PPA goals and objectives with an annual work plan that consists of specific work plan deliverables to be negotiated between Tribe and USEPA, if necessary and appropriate.

Table #.	Component Name
Goal:	

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Objectives	Time Period
	End
Objective 1: Objective 2: Objective 3: Objective 4:	
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

10.39.0 SOLID WASTE MANAGEMENT

SOLID WASTE ACCOMPLISHMENTS: 2000-2005

The Tribe's Solid Waste Management Plan was developed and is being executed. The plan was developed to establish a comprehensive integrated solid waste management program for the community.

The program promotes environment protection, economic prosperity, and community well being through execution of five program components: 1) solid waste management code; 2) solid waste community service agency; 3) 4 R's; 4) sustainability; and 5) monitoring.

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Accomplishments have been achieved for each component and are described in the following paragraphs.

Solid Waste Management Code

The solid waste management code is the regulating component of the program, which requires off reservation disposal of all solid wastes and encourages the Mohawk people to reduce, recycle, and reuse prior to sending materials for disposal. The solid waste management code also provides provisions for compliance and enforcement measures to be taken.

The Tribe officially adopted the Code on February 4, 2001. Since then, the Tribe has developed an incident report/complaint form, which is used to report violations of the Code. The Tribe continues to develop its enforcement/compliance program.

Solid Waste Community Service Agency

The Tribe's solid waste community service agency was created in response to the community needs and wants, and the community's overwhelming support of a Tribally owned and operated solid waste management business. This newly established agency offers quality and low cost solid waste management services.

- The Tribe began offering curbside collection of garbage and recyclables in July 2002. The Tribe is using a Pay-As-You-Throw (PAYT) program for the disposal of garbage and collects recyclables through its centrally located recycling depot. People bring their recyclables to the depot and place them in containers.
- The Tribe has also offered special collection programs for bulky items and household hazardous wastes.
- Since the Tribe began offering collection services it has collected a total of 161 tons of garbage and 289 tons of recyclables.
- A business plan was developed for the agency.

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4 R's

The goal of the 4 R's component is to motivate people to respect themselves, their community, and Mother Earth so that they assume ownership for the overall well being of their community. When this happens, the historically poor solid waste management practices of open dumping and burning will disappear and be replaced with waste reduction, reusing, and recycling, followed by proper disposal of garbage at the Tribe's transfer station. The Tribe Implements a cultural educational program based on traditional and cultural laws as the instrument used for attaining the goal of the 4 R's component.

Executing a cultural educational program is the primary mechanism used for achieving the goal of the 4 R's component.

The Tribe's early educational efforts focused on communicating messages through the use of handouts, public service announcements, newspaper articles, and demonstration projects. These efforts targeted the adult population of the community and the effectiveness of this work is questionable since it didn't seem to change the behavior of the people. Attempting to create more everlasting changes, the Tribe began directing their education efforts towards the youth. A local Mohawk artist developed two Mohawk cartoon characters, Kwis & Tiio¹, which were used to convey traditional Haudenosaunee teachings. They were featured in comic strips that were published in local newspapers. Some of the cartoon strips shared messages about improper solid waste management practices and how they negatively affect the environment. Other cartoon strips communicated the importance of respect, reduction, reusing, recycling, followed by proper disposal methods for solid waste. The cartoon strips publicize messages with humor and are well read by the community. The popularity of Kwis and Tiio in the community makes them an excellent vehicle for conveying environmental messages.

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The Tribe also worked with a local university, Clarkson, in digitizing Kwis and Tiio. The digitized characters were then used to develop a Kwis & Tiio solid waste educational tour that can be viewed on the Internet. The first seven slides of the tour show Kwis and Tiio learning about traditional teachings of the way it used to be in the community followed by slides that teach on respect, reduce, reusing, and recycling.

A video was produced in conjunction with St. Lawrence University and the Akwesasne Freedom School. Representatives from St. Lawrence and the Tribe worked with the students from the Freedom School in developing a script for a play, which showed the importance of using proper solid waste management practices in our daily lives. The students incorporated Haudenosaunee teachings into the script. The students performed two versions of the play at a theatre located on St. Lawrence's campus. One version was in English and the other version was in Mohawk. The play was recorded on video, edited, and copies were made for distribution.

Sustainability

History has shown that the solid waste management field is ever-changing and the sustainability of any program is built upon the ability to: 1) having good relationships with customers, the community, and community neighbors; 2) using innovated approaches of doing business; 3) forming strategic partners; and 4) being flexible and adapting to changes. The SRMT incorporates mechanisms to address each of these areas in a manner that maximizes sustainability for the program.

Monitoring

The SRMT treats their program components as a whole interconnected system working together to achieve environmental protection, economic prosperity, and community well being. The

¹ Kwis (Gwis) Mohawk slang for pig; Tiio (Dee oh) Mohawk suffix describing someone or something that is nice or pleasant. Kwis & Tiio are characters owned by the SRMT and are copyrighted protected.

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success or failure of one component impacts the success or failure of all the other components. The monitoring component is therefore, designed to provide quantitative and qualitative measures to track each program component and determine where modifications are needed to make the program more prosperous.

SOLID WASTE PROGRAM GOALS & OBJECTIVES: 2006-2011

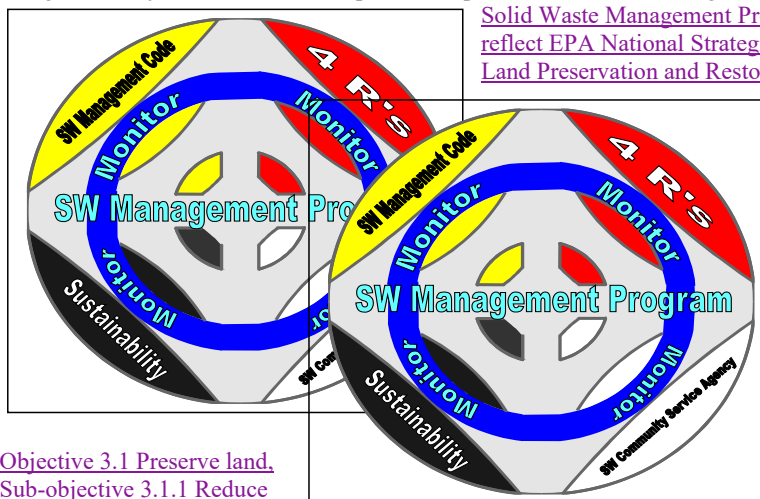
Program Goal

Manage solid wastes in a manner that honors the earth, people, plants, animals, and waters while contributing to the economic and social progress of the community.

The Tribe uses an integrated solid waste management approach in achieving its solid waste management program goal. This approach consists of executing five program components as shown in the figure to the right.

The goals & objectives for each component are presented in the following sections. [The Tribe's](#)

[Solid Waste Management Program goals reflect EPA National Strategic Plan Goal 3 Land Preservation and Restoration and](#)



[Objective 3.1 Preserve land,](#)
[Sub-objective 3.1.1 Reduce](#)
[Waste Generation and](#)
[Increase Recycling and Goal](#)

[5 Compliance and Environmental Stewardship, Sub-objective 5.1.1 Compliance Assistance, and](#)
[5.1.3 Monitoring and Enforcement. Also, Objective 5.2 Improve Environmental Performance](#)
[Through Pollution Prevention and Innovation, Sub-objective 5.2.1 Prevent Pollution and](#)
[Promote Environmental Stewardship by Government and the Public, 5.2.2 Prevent Pollution and](#)
[Promote Environmental Stewardship by Business and Cross-Goal Strategies, Partnerships,](#)
[Information, Innovation Human Capital and Science.](#)

Table 9.1- Solid Waste Program Component - Solid Waste Management Code		
Component Goal: Manage solid wastes in a manner that restores, preserves and respects Mother Earth.		
Objectives	Time Period	
	<u>-Begin</u>	End
Objective 1: Continue executing the permit program as specified in Section 5 of the Solid Waste Management Code.	2006	2011 2010
Objective 2: Develop enforcement procedures as described in Section 6.3 of the Solid Waste Management Code.	2006	2007
Objective 3: Execute enforcement procedures	2007	2011 2010
Objective 4: Develop Tribal regulatory requirements for the disposal of waste lamps from businesses.	2005	2006
Measurements for Evaluating Results: (1) number of permits issued; (2) the development of enforcement procedures; (3) number of enforcement actions taken and (4) the development of regulatory requirements for the disposal of waste lamps from businesses.		
Supporting Narrative: The Tribe has successfully been executing their permit program since the adoption of their solid waste management code, which occurred on February 2, 2001.		
The enforcement part of the solid waste management code is weak and needs further development. Solid waste staff will work with the Tribal Courts to develop and execute enforcement procedures.		
The development of Tribal regulatory requirements for the disposal of waste lamps from businesses will help the Tribe comply with 40 CFR, Part 273.		

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Table 9.2. Solid Waste Program Component - Solid Waste Community Service Agency		
Component Goal: Provide quality solid waste management services that the community can afford.		
Objectives	Time Period	
	Begin	End
Objective 1: Continue operation of the Tribe's recycling collection program and increase the recycling rate to 70% by the year 2011.	2006	2011 2010
Objective 2: Continue operation of the Tribe's transfer station and collect 90% of the total municipal solid wastes (MSW) generated from the reservation.	2006	2011 2010
Objective 3: Research the possibility of expanding services and/or offering new services.	2006	2011 2010
Measurements for Evaluating Results: (1) tons of recyclables collected; (2) tons of MSW collected; (3) number of customers; (4) costs of service; and (5) revenues generated.		
Supporting Narrative: The Tribe has successfully executed their collection program for MSW and recyclables since 2002 and will continue to do so in the future.		

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Table 9.3. Solid Waste Program Component – 4 R's		
Component Goal: Motivate people to respect themselves, the community, and Mother Earth so that they assume ownership for the overall well being of their community.		
Objectives	Time Period	
	<u>Begin</u>	End
Objective 1: Reduce open dumping and burning of solid wastes.	2006	2011 2010
Measurements for Evaluating Results: (1) decrease in the number of people using open burning; and (2) decrease in the number of people using open dumping.		
Supporting Narrative: Execute educational projects that demonstrate the condition of the Mohawk environment and community is directly impacted by how people choose to dispose of their solid wastes.		

Table 9.4. Solid Waste Program Component - Sustainability		
Component Goal: Achieve economic self-sufficiency.		
Objectives	Time Period	
	Begin	End
Objective 1: Establish good relationships with customers and community neighbors.	2006	2011 2010
Objective 2: Perform feasibility studies for innovated innovative projects that could compliment the program.	2006	2011 2010
Objective 3: Establish partnerships that minimize costs and provide opportunities to expand services.	2006	2011 2010
Measurements for Evaluating Results: (1) number of compliments or complaints received; (2) number of customers & strategic partners; and (3) expanded services executed.		
Supporting Narrative: Creating positive relationships with customers and nearby communities maximizes the potential for sustainability.		
Executing innovative projects allows the Tribe to adapt to changes in the solid waste field and maximize sustainability.		
Establishing partnerships allows the Tribe to provide affordable services while having the ability of moving materials in/out of the transfer station in the most economical manner.		

Table 9.5. Solid Waste Program Component - Monitoring		
Component Goal: Provide quantitative and qualitative measures to track each program component.		
Objectives	Time Period	
	<u>Begin</u>	<u>End</u>
Objective 1: Generate monthly reports to track the solid waste management code.	2006 2011 <u>2010</u>	
Objective 2: Generate monthly reports to track the solid waste management community service agency.	<u>2006</u>	<u>2010</u>
Objective 3: Generate monthly reports to track the 4 R's component.	2006	2007
	2007	2008
Objective 4: Generate monthly reports to track the Sustainability component.		
Objective 5: Make necessary modifications to make the overall program more successful.	2008	
	2011 <u>2010</u>	
Measurement for Evaluating Results: The number of reports generated and modifications made for improvements.		
Supporting Narrative: Monthly quantitative and quality measures are tracked for each program component as described in Section 3.6 of the Tribe's solid waste management plan.		

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~~10~~10. NATURAL RESOURCES

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~~10.3~~10.1 NATURAL RESOURCE DAMAGE ASSESSMENT

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Several federal statutes authorize federal, state and tribal officials to act on behalf of the public to restore natural resources affected by releases of oil and other hazardous materials. Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), parties responsible for contaminating the environment and causing injury to natural resources are also liable for natural resource damages (or compensation), which are to be used to restore the injured resources. The natural resource damage assessment (NRDA) process involves determining the nature and extent of injury to the public's natural resources in order to restore them to the state they would have been in if hazardous materials had not been released. Natural Resources include fish, wildlife, plants or other living organisms; air; ground and surface water; and sediments, soils, rocks or minerals. These resources can be injured if toxicants: (1) cause death, destruction, or loss of living organisms; (2) cause biological harm, including altering reproduction,

physiology, development, behavior or creating sickness and disease; or (3) cause resources to become unavailable for human use.

Natural resource damage claims cover “damages for, injury to, destruction of, or loss of natural resources.” In order to bring a claim, an assessment must first be done to identify injured natural resources, to propose measures to restore or replace the injured resources and to predict the costs associated with injuries, lost resource use and restoration. Industries or parties responsible for the contamination are required to pay for any injured natural resources that are not fully restored by Superfund cleanup programs. Any monies awarded for the injured natural resources must be used for ecosystem restoration. Claims cover the costs associated with assessing, restoring, rehabilitating or replacing injured natural resources. Compensation can also be sought for lost use value, to cover damages sustained when natural resources become unavailable for human use. For example, fishing, hunting, gathering and outdoor recreation are all limited if toxicants in fish and wildlife make them unsuitable for human consumption.

The St. Regis Mohawk Tribe Environment Division, together with the New York State Department of Environmental Conservation (NYSDEC), the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Department of Interior (DOI) have been working together and make up the St. Lawrence Environment Trustee Council (SLETC). The SLETC was formed in 1991 to develop and coordinate Tribal, State, and Federal damage assessment activities and plan for restoration of the St. Lawrence and surrounding areas’ resources. The St. Regis Mohawk Tribe serves as the lead Administrative Trustee for the council.

In June 2000, a cooperative Natural Resource Damage Assessment (NRDA) has been initiated by the SLETC and responsible parties General Motors and ALCOA. This cooperative NRDA is being conducted pursuant to a NRDA funding agreement between Alcoa, General Motors, and SLETC. A general goal of the cooperative NRDA is to perform an expedited and focused assessment of injury that will support development of restoration options that all parties can agree on.

[The Tribes Natural Resource Damage Assessment program reflects EPA's National Strategic Plan Goal 3 Land Preservation and Restoration, Goal 4 Healthy Communities and Ecosystems, Objective 4.3 Protect, sustain and restore the health of natural habitats, Sub-objective 4.3.1 Protect and Restore Ecosystems, 4.3.3 Improve the Health of Great Lakes Ecosystems and Objectives 3.2 Restore Land and 3.3 Enhance Science and Research and Cross Goal Strategies for Partnerships, Information, Innovation, Human Capital and Science.](#)

Injury assessment has been divided into three categories: Ecological; Recreational; and Cultural.

[Goal 1: Ecological Assessment](#)

[Ultimate Goal:](#) To restore, replace and/or otherwise acquire equivalent natural resources which have been injured, destroyed or lost by the release of hazardous substances in the St. Lawrence River Basin, in and around the New York State, Akwesasne Mohawk Territory and Mohawk usual and accustomed areas.

[Objectives](#)

- ☐ Ecological work involves continuing to negotiate approaches for assessing ecological injury; evaluating biological data, defining data gaps, and if necessary conducting additional studies.
- ☐ Estimation of ecological losses by development of Habitat Equivalency Analysis (HEA) inputs, including avian, fish and sediment Toxicity Reference Values (TRVs), accurate mapping of contamination within the assessment area, determination of baseline, and selection of surrogate species.
- ☐ Restoration planning of projects
- ☐ Independent study (separate from Cooperative Assessment) on downstream fish and sediment. To more concisely evaluate downstream injury and extent of contamination.
- ☐ Database management- maintain and update the existing comprehensive contaminants database to assist in identifying the full extent of contamination.

Indicators

Ecosystem fully functional and clean

Restoration Planning

Table 10.1.1 – Ecological Assessment

Goal: To restore, replace and/or otherwise acquire equivalent natural resources which have been injured, destroyed or lost by the release of hazardous substances in the St. Lawrence River Basin, in and around the New York State, Akwesasne Mohawk Territory and Mohawk usual and accustomed areas.

<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
Objective 1: Ecological work involves continuing to negotiate approaches for assessing ecological injury; evaluating biological data, defining data gaps, and if necessary conducting additional studies.	2006	2010
Objective 2: Estimation of ecological losses by development of Habitat Equivalency Analysis (HEA) inputs, including avian, fish and sediment Toxicity Reference Values (TRVs), accurate mapping of contamination within the assessment area, determination of baseline, and selection of surrogate species.	2006	2010
Objective 3: Restoration planning of projects Independent study (separate from Cooperative Assessment) on downstream fish and sediment. To more concisely evaluate downstream injury and extent of contamination.	2006	2010
Objective 4: Database management- maintain and update the existing comprehensive contaminants database to assist in identifying the full extent of contamination.	2006	2010
Measurements for Evaluating Results:		
Indicators: Ecosystem fully functional and clean. Restoration Planning		
Efficiency:		

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Goal 2: Recreational Objectives

Ultimate Goal:

Objectives

- ☐ Modeling of the data and loss estimates from Random Utility Model (RUM) application. Verification of modeling results will be done by SLETC and includes reviewing data and computer code. This will ensure that all parties are confident of the results and their use in developing and scaling restoration options.
- ☐ Restoration planning to expand list of projects by soliciting non-Tribal restoration options from community groups.

Indicators

Economic study (RUM)

Focus groups

Table 10.1.2 – Recreational Objectives

Goal: Assess recreational damages.		
<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: Modeling of the data and loss estimates from Random Utility Model (RUM) application. Verification of modeling results will be done by SLETC and includes reviewing data and computer code. This will ensure that all parties are confident of the results and their use in developing and scaling restoration options.</u>	<u>2006</u>	<u>2010</u>
<u>Objective 2: Restoration planning to expand list of projects by soliciting non-Tribal restoration options from community groups.</u>	<u>2006</u>	<u>2010</u>
<u>Measurements for Evaluating Results:</u>		
<u>Indicators: Economic study (RUM)</u>		
<u>Focus groups</u>		
<u>Efficiency:</u>		

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Cultural Objectives

Ultimate Goal: to determine how and to what extent the culture of Mohawk people has been affected by injuries to the natural resources of the St. Lawrence River basin that is depended upon. This information is to be used to quantify injury and develop restoration of services provided to the Akwesasne Mohawk community for past and future lost use of natural resources.

- Completion of Phase I of Cultural Impact Assessment- look at existing information to examine types of impacts and changes in tribal use of St. Lawrence environment over time.
- Formation of Community Advisory Committee-this will ensure that the Cultural study encompasses all community needs and wishes to the extent possible.

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- Effective Communication and Community outreach – to address prospective ideas on how to help restore Mohawk cultural connections with the natural environment.
- Phase II of Cultural Impact Assessment- if existing information is not sufficient to conclude the scope of cultural injury then additional studies will be conducted involving interviews with elders.
- Medicinal Plant Analysis- this study involves collecting medicinal plants for analysis to determine if the health of the Akwesasne community is at risk.
- Restoration Planning to preserve and teach traditional uses of natural resources.
- Kanienkehake Interactive Website- this will be in the Mohawk language and linked with GIS mapping software in order to see and hear stories of elders, names of places, plants, etc.

Indicators

Preservation of cultural resources

Community education

Table #. 10.1.3 – Component Name Cultural Assessment

Goal: Determine how and to what extent the culture of Mohawk people has been affected by injuries to the natural resources of the St. Lawrence River basin that is depended upon. This information is to be used to quantify injury and develop restoration of services provided to the Akwesasne Mohawk community for past and future lost use of natural resources.

Objectives	Time Period	
	<u>-Begin</u>	<u>End</u>
Objective 1: <u>Completion of Phase I of Cultural Impact Assessment- look at existing information to examine types of impacts and changes in tribal use of St. Lawrence environment over time.</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Formation of Community Advisory Committee-this will ensure that the Cultural study encompasses all community needs and wishes to the extent possible.</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Effective Communication and Community outreach – to address prospective ideas on how to help restore Mohawk cultural connections with the natural environment.</u>	<u>2006</u>	<u>2010</u>
Objective 4: <u>Phase II of Cultural Impact Assessment- if existing information is not sufficient to conclude the scope of cultural injury then additional studies will be conducted involving interviews with elders.</u>	<u>2006</u>	<u>2010</u>
Objective 5: <u>Medicinal Plant Analysis- this study involves collecting medicinal plants for analysis to determine if the health of the Akwesasne community is at risk.</u>	<u>2006</u>	<u>2010</u>
Objective 6: <u>Restoration Planning to preserve and teach traditional uses of natural resources.</u>	<u>2006</u>	<u>2010</u>
Objective 7: <u>Kanienkehaka Interactive Website- this will be in the Mohawk language and linked with GIS mapping software in order to see and hear stories of elders, names of places, plants, etc.</u>	<u>2006</u>	<u>2010</u>
Measurements for Evaluating Results:		
Indicators: <u>Preservation of cultural resources. Community education.</u>		
Efficiency:		

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~~10.3~~10.2 FORESTRY RESOURCES

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Forest resources are integral to the environment of the St. Regis Mohawk Reservation. Forests shelter and protect medicine plants, wildlife and birds. Forests comprise a large part of reservation wetlands as forested wetlands and contribute to the overall quality of life on the reservation by providing areas for hunting, recreation and solitude. Forests are important environmentally because they reduce green-house gases, provide insulation and cooling of buildings, control erosion and runoff and attenuate water quality impacts, and in wetlands filter contaminants that might otherwise become available to humans and food or medicine substances.

Recent successes were achieved with the development of a forest cover type survey conducted in 2003 with the assistance of the Bureau of Indian Affairs (BIA), the US Forest Service and the State University of New York Environmental Science and Forestry (SUNY-ESF). This survey was placed into the Division's GIS database. Additionally, the Tribe received assistance from the BIA to develop a Fire Management Plan, which has become an important planning tool for many of the Tribe's administrative offices. Both the forest cover type survey and the Fire Management Plan are very useful tools for evaluating environmental impacts from development projects. They also have yielded information useful to the solid waste program, emergency planning and wetlands programs.

The Tribe would like to continue with its previous success and to build upon them with further refinement of more precise inventory and development of a management plan for community members.

The Tribe's Forestry resource goals embraces EPA National Strategic Plan Goal, Cross-Goal Strategies for Partnerships, and Innovation for achieving National goals – Clean Air and Global Climate Change; Clean and Safe Water, Preserve and Restore Land, Healthy ~~Communities~~Communities and Ecosystems and Compliance and Stewardship.

Goals and Objectives

1. Identify and secure funding and technical support resources
 - a. Collaboration with BIA, USFS, SUNY ESF
2. Build on forest cover type survey
 - a. Conduct volumetric inventory
 - b. Conduct GIS analysis of data and incorporate into database
3. Provide community outreach and education
 - a. Value of forests in environmental health
4. Promote forestry management in the community
 - a. Urban forestry projects
 - i. Reduce runoff
 - ii. Restore wetlands

Provide technical assistance to community members

Long term measures: Numbers of trees planted, acres of forest wetlands preserved, numbers of acres inventoried.

Indicators: Reduction in greenhouse gases, reduction in runoff and water quality impacts.

Efficiency: Collaboration with BIA, USFS and SUNY ESF.

Table 10.2.#-1 – Component Name Forestry Management		
Goal: <u>Develop Tribal Forestry Management Capacity</u>		
Objectives	Time Period	
	Begin	End
Objective 1: <u>Identify and secure funding and technical support resources</u> <u>Collaboration with BIA, USFS, SUNY-ESF</u> <u>Build on forest cover type survey developed in 2003</u> Sub-objectives: <u>Conduct volumetric inventory</u> <u>Conduct GIS analysis of data and incorporate into database</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Provide community outreach and education</u> <u>Value of forests in environmental health</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Promote forestry management in the community</u> Sub objectives: <u>Urban forestry projects</u> <u>Reduce runoff</u> <u>Restore wetlands</u>	<u>2006</u>	<u>2010</u>
Objective 4: <u>Provide technical assistance to community members</u> Objective 4:		

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Measurements for Evaluating Results: Numbers of trees planted, acres of forest wetlands preserved, numbers of acres inventoried.

Indicators:
Reduction in greenhouse gases, reduction in runoff and water quality impacts.

Efficiency: Collaboration with BIA, USFS and SUNY-ESF.

10.3

10.3 FISHERIES

In fulfilling its mission is to assist the SRMT community in preserving, sustaining, protecting, and enhancing the environment for future generations the Tribe has develop concerns for its fisheries. The Mohawk people have always had a great bond to the St. Lawrence River and its wildlife. Hundreds of years ago the Mohawk people lived mainly on fish from the St. Lawrence River. Now in the present time the fish populations have decreased due to many problems, pollution, lose of habitat, invasive species, over fishing and netting. Red meats and other farmed animals has become main staple of meats. This change has lead to the belief Mohawks are suffering health problems because of this change. The natural world is in need of help now. There is a need to create or develop plans in aquatic conservation, restoration to habitats, and to continue our efforts in the removal of contaminates from water ways. This will help to insure our future generation will have a high quality of life of Mohawks.

The goals and Objectives for the SRMT Fisheries Management Program

Starting in 2005 it is the vision of the SRMT to begin working on the Fisheries Management Plan. Begin by up dating all the data and research on fish. Begin to create the baseline on fish

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located in the Mohawk territory. A constant fish monitoring program and analysis of fish will be funded for the full five years. For the purposes of a reliable baseline and contaminate levels study on local fish. A management team can begin by making plans for the restoration of fish, collecting genetic information on fish species, conservation plans, and discuss dam issues. Continue the fight on clean water issues. All of these elements can be executed by working with local governments and industries. The management team will evaluate and execute each of these plans accordingly to each species. It should be the goal of the SRMT to have our fisheries self sustaining. In the unlikely hood they cannot the Tribe should consider the use of hatcheries for endangered fish species. Endangered fish such as Sturgeon and Atlantic salmon have already been reared in hatcheries. These efforts have already shown some success but many problems can occur with hatcheries and should not have to be a consideration. The SRMT's objectives, to have self-sustaining fisheries, contaminate free fish, a program that will continue to regulate and monitor the fishery, enhance recreational fishing, and inform public annually on the fisheries progress

Akwesasne five year fish monitoring, evaluation programs

- ▲ Create research programs to support a five year wild fish management program and a baseline of indigenous fish in the Mohawk territory
- ▲ Develop, fund a monitoring and evaluation programs to determine the efficacy of the management program
- ▲ Log life histories and contaminate levels in fish
- ▲ Create charts of indigenous fish populations and establishing coexistent watersheds for each species.
- ▲ Establish proper freshwater habitat conditions for each life history stage by species and set standards
- ▲ Gain more knowledge and research genetics for fish populations
- ▲ Advertise more information on the health of our fisheries
- ▲ Work more with conservation on pros and cons of the commercial and sport fisheries

Management and biological investigations team

- ▲ Audits to evaluate the management and biological studies
- ▲ Determine needs, problems and to ensure the local and federal governments are meeting there responsibilities to the SRMT for impacts in federal waters, including restoration to habitats, dam issues and compensation for lost fish due to neglect from outside intervention.
- ▲ The team will offer to assist other Native Americans in technical, scientific expertise and Tribal resources for there fish & wildlife programs

- ~~Host annual meetings for public to voice opinions~~

Funding

- ~~?~~

Hatchery Use

- ~~Management team will determine the need of a hatchery~~
- ~~If needed build and create hatchery with strict regulations with regards to pollution, genetics, and species~~
- ~~□□□□□ Develop monitoring and evaluation criteria for hatchery~~
 - ~~Support the wild fish management goals and the possibility of harvesting~~

†Akwasasne Fisheries

The Mohawk people have always had a bond with the St. Lawrence River and its tributaries. Fish was the main staple of food and fisheries provided a self-sufficient livelihood. But in present times, fish populations have decreased due to problems such as industrial toxins, human population growth resulting in loss of habitat, invasive species and ~~overfishing~~over fishing.

The Program's vision is two-fold: 1) to provide safe and toxin-free fish for consumption and, 2) to restore the fisheries to a level suitable for sustaining a fisheries economy. This is expected to be accomplished through our continued effort and partnerships to reduce industrial toxins in our waterways, manage land use, develop habitat conservation plans and manage our aquatic resources.

Goals and Objectives

~~1. Fisheries Management Plan (FMP): a FMP is needed to develop a baseline of wild fish populations, density and growth. A plan sets the thresholds for acceptable levels or levels that require action. It is also the stepping stone for long term maintenance and restoration projects.~~

~~a. Monitoring: collect data on fish species, numbers and age; industrial toxin levels in waterways and fish tissue.~~

~~b. Evaluation: develop a database containing actual and expected indigenous fish in the territory; industrial toxin levels in the waterways and fish tissue and correlate with required habitat.~~

~~c. Regulations: develop fishing regulations and enforcement procedures.~~

~~2. Habitat Resource and Conservation Plan (HRCP): coordinate effort with the Wetlands Protection Program to develop a HRCP.~~

~~a. Monitoring: collect data on fisheries related habitats. Data should be correlated with fish database.~~

3. Aquaculture: is a man-made ecosystem that supports local species of fish from recreational fishing to food to restoration efforts. Two major factors driving the use of aquaculture are increased public demand for high quality fish products and reduced yields from wild stocks. In addition, the possibility of contaminants in wild fish may also limit the available supply of fresh fish to the public.

a. Research: explore opportunities in the aquaculture industry, including production, inventory, sales, prices, and inputs. Revitalize interest in open net rearing for food production and restocking. Also to be used for educational and research purposes.

4. Community Awareness: the SRMT Environment Division's mission is to assist the SRMT community for future generations. Community support and input is expected throughout the development of our programs.

—— a. Outreach: provide the community the opportunity to review our procedures, policies and methods. Allow the community to provide input in our programs. Fisheries Management Plan (FMP): a FMP is needed to develop a baseline of wild fish populations, density and growth. A plan sets the thresholds for acceptable levels or levels that require action. It is also the stepping-stone for long-term maintenance and restoration projects.

The Tribe's Fisheries goals reflect EPA's National Strategic Plan Goal 2 Clean and Safe Water, Objective 2.1 Protect Human Health, Sub-objective 2.1.2 Fish and Shellfish Safety, Goal 4 Healthy Communities and Ecosystems, Objective 4.3 Ecosystems, Sub-objective 4.3.1 Protect and Restore Ecosystems, Sub-objective 4.3.3 Improve the Health of Great Lakes Ecosystems, Objective 4.4 Enhance Science and Research, Sub-objective 4.4.1 Apply the Best Available Science, and 4.4.2 Conduct Relevant Research.

Table 10.3, #. 1 – Component Name Fisheries Management	
Goal: <u>Develop Fisheries Management Plan.</u>	
Objectives	Time Period <u>Begin</u> <u>Begin</u>
Objective 1: <u>Monitoring</u> : collect data on fish species, numbers and age; industrial toxin levels in waterways and fish tissue.	<u>2006</u> <u>2010</u>
Objective 2: <u>Evaluation</u> : develop a database containing actual and expected indigenous fish in the territory, industrial toxin levels in the waterways and fish tissue and correlate with required habitat.	<u>2006</u> <u>2010</u>
Objective 3: <u>Regulations</u> : develop fishing regulations and enforcement procedures.	<u>2006</u> <u>2010</u>
Objective 4:	

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Measurements for Evaluating Results:
Indicators:
Efficiency:

Table 10.3.2 – Habitat Resource and Conservation Plan		
Goal: Coordinate effort with the Wetlands Protection Program to develop a <i>Habitat Resource and Conservation Plan (HRCP)</i> .		
Objectives	Time Period	
	Begin	End
Objective 1: <i>Monitoring:</i> collect data on fisheries related habitats.	2006	2010
Objective 2: Data should be correlated with fish database.	2006	2010
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

Aquaculture: is a man-made ecosystem that supports local species of fish from recreational fishing to food to restoration efforts. Two major factors driving the use of aquaculture are increased public demand for high quality fish products and reduced yields from wild stocks. In addition, the possibility of contaminants in wild fish may also limit the available supply of fresh fish to the public.

Table 10.3.3 – Aquaculture		
Goal: Assess aquaculture opportunities.		
Objectives	Time Period	
	Begin	End
Objective 1: <i>Research:</i> explore opportunities in the aquaculture industry, including production, inventory, sales, prices, and inputs.	2006	2010
Objective 2: Revitalize interest in open net rearing for food production and restocking.	2006	2010
Objective 3: Educational and research purposes.	2006	2010
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

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Community Awareness: the SRMT Environment Division's mission is to assist the SRMT community for future generations. Community support and input is expected throughout the development of our programs.

<u>Table 10.3.4 – Community Education</u>		
<u>Goal: Provide for community involvement to gain support for fisheries management activities.</u>		
<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1:</u> <i>Outreach:</i> provide the community the opportunity to review our procedures, policies and methods.	2006	2010
<u>Objective 2:</u> Allow the community to provide input in our programs.	2006	2010
<u>Measurements for Evaluating Results:</u>		
<u>Indicators:</u>		
<u>Efficiency:</u>		

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10.4 ~~10.4~~ WILDLIFE

Goals and Objectives

Wildlife conservation and protection is an important concern for the Tribe. With increased development and housing loss of habitat and impacts to wildlife are imminent. Impacts from industrial pollution have tainted wildlife for consumption. Tribal members have expressed concern for wildlife issues such as poaching on Tribal lands, ~~overharvesting~~over harvesting, trespassing, rabies, habitat degradation and destruction. More recently issues with wildlife health have come to the forefront with chronic wasting disease as well as west-~~nile~~Nile virus. The Tribe envisions the development of wildlife conservation and protection programs in order to address the needs of the community.

The Tribe's goals reflect EPA's National Strategic Plan Goal 2, Clean and Safe Water, Objective 2.2 Protect Water Quality, Goal 4 Healthy Communities and Ecosystems, Objective 4.1 Chemical, Organism, and Pesticides Risks and 4.4 Enhance Science and Research. Tribal efforts that consider exposure of wildlife to chemical exposures and contaminants through application and runoff into water resources.

~~1. Protect, restore and enhance historic, self-sustaining and healthy wildlife populations of the Tribe through ecosystem management.~~

~~a. Research and develop comprehensive wildlife management plan for the Tribe~~

~~i. Access Integrated Resource Management Plan funding and other funding to support the Tribe's plan~~

~~ii. Assess the impacts to wildlife~~

~~iii. Develop short and long term projects~~

~~b. Build administrative, technical and regulatory capacity~~

~~i. Codify wildlife conservation regulations~~

~~Develop cooperative agreements with other agencies for wildlife management~~

Table 10.4.1 – Wildlife Protection

Goal: Protect, restore and enhance historic, self-sustaining and healthy wildlife populations of the Tribe through ecosystem management.

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<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: Research and develop comprehensive wildlife management plan for the Tribe</u>	<u>2006</u>	<u>2010</u>
<u>Objective 2: Access Integrated Resource Management</u>	<u>2006</u>	<u>2010</u>
<u>Objective 3: Plan funding and other funding to support the Tribe's plan</u>	<u>2006</u>	<u>2010</u>
<u>Objective 4: Assess the impacts to wildlife</u>	<u>2006</u>	<u>2010</u>
<u>Objective 5: Develop short and long term projects</u>	<u>2006</u>	<u>2010</u>
<u>Objective 6: Build administrative, technical and regulatory capacity.</u>	<u>2006</u>	<u>2010</u>
<u>Objective 7: Codify wildlife conservation regulations</u>	<u>2006</u>	<u>2010</u>
<u>Objective 8: Develop cooperative agreements with other agencies for wildlife management.</u>	<u>2006</u>	<u>2010</u>
<u>Measurements for Evaluating Results:</u>		
<u>Indicators:</u>		
<u>Efficiency:</u>		

e-

2. Protect threatened and endangered species (T&E) and preserve or enhance their habitat to promote their populations and reproduction.

a. Develop a protection and enhancement plan

i. Enter a list of T&E species for the Tribe

ii. Research and develop a management plan

b. Work with private and non-private landowners to protect and enhance T&E species

i. Participate in environmental assessments in consideration of T&E species

Integrate T&E protection concerns into Tribal development and economic enterprise projects

Table 10.4.2 – Protection of T&E species

Goal: Protect threatened and endangered species (T&E) and preserve or enhance their habitat to promote their populations and reproduction.

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Objectives	Time Period	
	Begin	End
Objective 1: Develop a protection and enhancement plan Sub objectives: Enter a list of T&E species for the Tribe Research and develop a management plan	2006	2010
Objective 2: Work with private and non-private landowners to protect and enhance T&E species Sub objective: Participate in environmental assessments in consideration of T&E species	2006	2010
Objective 3: Integrate T&E protection concerns into Tribal development and economic enterprise projects	2006	2010
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

ii:

- 3.Reduce or eliminate exotic species impacting the Tribe's resources
 - a.Protect and restore native plant diversity
 - b.Analyze exotic species spatially
 - c.Analyze impacts of exotic species to environment
 - d.Formalize strategies for managing exotic species

Long-term measures: Sustained populations of wildlife; reduction or minimization in wildlife habitat loss; renewed usage of wildlife for food; prevention of diseases or controlling spread of diseases.

Indicators: Maintenance of baselines or achievement of targets.

Efficiency: Collaboration with state, federal and provincial agencies.

Table 10.4.#-3 - Component Name Exotic Species

Goal: Reduce or eliminate exotic species impacting the Tribe's resources

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Objectives	Time Period	
	-Begin	End
Objective 1: <u>Protect and restore native plant diversity</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Analyze exotic species spatially</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Analyze impacts of exotic species to environment</u>	<u>2006</u>	<u>2010</u>
Objective 4: <u>Formalize strategies for managing exotic species</u>		
Measurements for Evaluating Results:		
<u>Maintenance of baselines or achievement of targets.</u>		
Indicators: <u>Sustained populations of wildlife; reduction or minimization in wildlife habitat loss; renewed usage of wildlife for food; prevention of diseases or controlling spread of diseases.</u>		
Efficiency: <u>Collaboration with state, federal and provincial agencies.</u>		

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10.510.5 AGRICULTURE

Agriculture, until the late 1960's was an integral element of lifestyle for Mohawks. Industrialization and economics forced many Mohawk farmers out of production. Strong interest remains to rekindle and diversify agricultural opportunities for the reservation. Many tribal members with fallow land desire to become involved with agriculture but require technical assistance, financial assistance and market development in order to be a success.

Tribal Agricultural goals reflect EPA's National Goal 4 Healthy Communities and Ecosystems, Objective 4.1 Chemical, Organism, and Pesticides Risks.

Goals and Objectives

- 1. Restore and enhance agricultural activities and promote agricultural practices that are environmentally sound and reflective of Mohawk values.**
 - a. Support local agricultural groups**
 - i. Coordinate workshops and seminars from various agencies such as Cornell Cooperative Extension**
 - b. Identify and assess agricultural needs and potential of the reservation**
 - i. Work with Intertribal agricultural society to develop survey**
 - e. Identify Appropriate Agricultural Support Agencies to assist the community**

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- i. Consult with USDA
- ii. Consult with Intertribal agricultural society
- d. Develop agricultural program strategies
- i. Identify needs and resources
- ii. Match resources to needs

Long-term measures: Increased production acreages; economic and financial benefit to Tribal members.

Indicators:

Efficiency:

Table 10.5.#-1 – Component NameAgricultural Resources		
Goal: Restore and enhance agricultural activities and promote agricultural practices that are environmentally sound and reflective of Mohawk values.		
Objectives	Time Period	
	Begin	End
Objective 1: <u>Support local agricultural groups</u> Sub objective: <u>Coordinate workshops and seminars from various agencies such as Cornell Cooperative Extension</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Identify and assess agricultural needs and potential of the reservation</u> Sub objective: <u>Work with Intertribal agricultural society to develop survey</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Identify Appropriate Agricultural Support Agencies to assist the community</u> Sub objectives: <u>Consult with USDA</u> <u>Consult with Intertribal agricultural society</u>	<u>2006</u>	<u>2010</u>
Objective 4: <u>Develop agricultural program strategies</u> Sub objective: <u>Identify needs and resources</u> <u>Match resources to needs</u>	<u>2006</u>	<u>2010</u>
Objective 5: <u>Promote proper use of agricultural chemicals.</u>		
Measurements for Evaluating Results: <u>Increased production acreages; economic and financial benefit to Tribal members.</u>		
Indicators:		

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Efficiency:

10.610.6 ANIMAL WELFARE

The care and well being of domestic animals is important to the Tribe, particularly because stray animals can become vectors for diseases of other animals and humans. Stray animals inflict damage to property and animal attacks have caused injury to children, other domestic animals and livestock. The Tribe maintains an interest in addressing domestic animal welfare, including cruelty prevention, for the community.

Goals and Objectives

1. Prevent the inhumane treatment of animals through promoting and understanding and respect for all creates and assisting in the control and rehabilitation of animal populations:
 - a. Establish an animal shelter
 - i. Assess and evaluate animal control needs
 - ii. Identify resourcees
 - iii. Hire and train staff
 - b. Promote humane treatment of animals
 - i. Outreach and education for the community
 - ii. Promote spaying and neutering
 - c. Control domestic animal diseases
 - i. Education and outreach
 - ii. Host rabies vaccinations clinics

Long-term measures: Reduce number of stray animals; reduce numbers of animal attacks.

Indicators: Reduction in animal complaints and attacks.

Efficiency: Collaboration with state, federal and private agencies.

Table 10.6.#-1 – Component Name Animal Welfare

Goal: Prevent the inhumane treatment of animals through promoting and understanding and respect for all creatures and assisting in the control and rehabilitation of animal populations.

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Objectives	Time Period <u>Begin</u>
Objective 1: <u>Establish an animal shelter</u> <u>Sub objectives: Assess and evaluate animal control needs</u> <u>Identify resources</u> <u>Hire and train staff to operate shelter</u>	<u>2006</u> <u>2010</u>
Objective 2: <u>Promote humane treatment of animals</u> <u>Sub objectives: Outreach and education for the community</u> <u>Promote spaying and neutering</u>	<u>2006</u> <u>2010</u>
Objective 3: <u>Control domestic animal diseases</u> <u>Sub objective: Education and outreach</u>	<u>2006</u> <u>2010</u>
Objective 4: <u>Host rabies vaccinations clinics</u>	<u>2006</u> <u>2010</u>
Measurements for Evaluating Results: <u>Reduce number of stray animals; reduce numbers of animal attacks.</u>	
Indicators: <u>Reduction in animal complaints and attacks.</u>	
Efficiency: <u>Collaboration with state, federal and private agencies</u>	

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4.11 CROSS MEDIA

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Cross Media are areas that are ~~affect~~affecting more than one program area and are overlapping. The National Strategic Plan includes Cross Goal Strategies that are a means of accomplishing all of the other objectives. The Tribes Cross Media goals recognizes the connection that each component has to the other and to each of the program areas discussed previously. The Tribes

Cross Media goals reflect administrative, technical, legal and scientific support of other programs.

11.1 ~~11.1~~ — GENERAL ASSISTANCE

General Assistance

EPA established the General Assistance Program (GAP) to support the development of core Tribal environmental programs. This program has been fundamental to the success of the Tribe in building its capacity to manage various environmental programs. The Tribe has worked with GAP funding since 1991 to develop programs for GIS, enforcement, solid waste, and environmental planning.

Performance Partnership Grants (PPG) are part of the Tribes environmental planning process and have been integrated as part of the Tribes GAP program. PPGs are intended to increase grant regulatory flexibility and relieve administrative burden while maintaining accountability for federal funds. Its flexibility also allows multimedia and pollution prevention strategies.

The Tribe's GAP goals reflect EPA National Strategic Plan Goal 1 Clean Air and Global Climate Change, Goal 2 Clean and Safe Water, Goal 3 Land Preservation and Restoration, Goal 4 Healthy Communities and Ecosystems, Goal 5 Compliance and Environmental Stewardship and Cross-Strategy Goals for Partnerships, Information, Innovation, Human Capital, Science, Homeland Security and Economic Policy and Analysis.
Goals and Objectives

1. Develop Environmental Program Capacity
 - a. Assess Tribal environmental needs on a continual basis
 - b. Prioritize Tribal needs
 - c. Strategize and outline approach to meeting Tribal environmental needs
 - d. Develop Enforcement Capacity
2. Build Administrative Capacity
 - a. Develop annual PPG
 - b. Support GIS and Information Technology programs
 - c. Provide staff with training as appropriate
3. Build Technical Capacity
 - a. Provide training to staff
 - b. Attend conferences and workshops as appropriate
 - c. Implement approved Quality Assurance Management Program
4. Build Legal Capacity
5. Establish communications capability
 - a. Publish bi-annual IEN
 - b. Establish and maintain Internet web site
6. Work toward establishing program specific assistance for programs
 - a. Consult with EPA program managers for building programs
 - Identify funding sources for specific programs (grants writer)
7. Consult with EPA

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a. Bi-annual progress reporting under the PPG
Part 35 Solid Waste Implementation

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Long term measures:

Indicators:

Efficiency:

Table 11.1.#-1 – Component Name		
Goal: <u>Develop Environmental Program Capacity</u>		
Objectives	Time Period	
	Begin	End
Objective 1: <u>Assess Tribal environmental needs on a continual basis</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Prioritize Tribal needs</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Strategize and outline approach to meeting Tribal environmental needs</u>	<u>2006</u>	<u>2010</u>
Objective 4: <u>Develop Enforcement Capacity</u>	<u>2006</u>	<u>2010</u>
Objective 5: <u>Build legal capacity.</u>	<u>2006</u>	<u>2010</u>
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

Table 11.1.2 – Staff Capacity		
Goal: <u>Build Administrative and Technical Capacity</u>		
Objectives	Time Period	
	Begin	End
Objective 1: <u>Develop annual PPG</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Support GIS and Information Technology programs</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Provide staff with administrative and technical training as appropriate.</u> <u>Attend conferences and workshops as appropriate</u> <u>Implement approved Quality Assurance Management Program</u>	<u>2006</u>	<u>2010</u>

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Measurements for Evaluating Results:
Indicators:
Efficiency:

Table 11.1.3 – Communication		
Goal: Establish communications capability		
Objectives	Time Period	
	Begin	End
Objective 1: Publish bi-annual IEN	2006	2010
Objective 2: Establish and maintain Internet web-site	2006	2010
Objective 3: Integrate with information exchange (See GIS)	2006	2010
Objective 4: Consultation with EPA	2006	2010
Sub-objective: Bi-annual progress reporting under the PPG Data exchange		
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

Table 11.1.4 – Component Name		
Goal: Work toward establishing program-specific assistance for programs		
Objectives	Time Period	
	Begin	End
Objective 1: Consult with EPA program managers for building programs	2006	2010
Objective 2: Identify funding sources for specific programs (grants writer needed)	2006	2010
Objective 3: Part 35 Solid Waste Implementation	2006	2010
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

11.1.11.2 QUALITY ASSURANCE

Quality Assurance (QA) affects all aspects of the Environment Division's activities and is important for ensuring information is of the determined accuracy, precision and validity necessary for its intended use. Through implementation of a Quality Assurance Management Plan (QAMP) and development of Quality Assurance Project Plans (QAPPs) measurement and monitoring activities conducted by the Division will be well planned technically, financially and in use of personnel resources.

The Tribes QA goals reflect EPAs [Quality Systems](#) goal of accurate, timely and usable information and promote EPAs approaches to analytical capacity, governance and excellence in

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information service delivery. It also reflects EPA National Strategic Plan Cross-Strategy Goal of Information and Science by supporting efforts to obtain meaningful environmental information and high quality data that will support decision making. Also reflected is Goal 5 Compliance and Environmental Stewardship, Objective 5.3 Build Tribal Capacity.

Goals and Objectives

1. Maintain QAMP

a. Review and renew QAMP FY 2007

b. Attenuate QAMP as necessary during term

e. Provide annual report on QA activities, due August of each year

2. Implement QAMP

a. Provide quarterly updates to Environment Staff

b. Advise contractors/service providers of QAMP responsibility

c. Assist and guide staff in QAPP development

d. Consult with EPA Quality Assurance Officer in QAPP review and approval process

e. Advise staff on QAMP changes or modifications

f. Tribal Quality Assurance Officer and/or EPA staff to conduct audits, inspections, reviews

i. Project records

ii. Contract Labs

iii. Work plans

iv. Log books

3. Develop QA resources for Division

a. Tribal Quality Assurance Officer attends QA training and conferences as appropriate

b. Update and maintain reference library with software and reference books

c. Schedule in house or external training for staff as appropriate

Long Term measures: Increased capacity of Division and staff.

Indicators: Reduction in errors.

Efficiency: Collaboration with EPA.

Table 11.2.1#. – **Component Name** **Quality Management**

Goal: Maintain QAMP		
Objectives	Time Period	
	Begin	End
Objective 1: <u>Review and renew QAMP FY 2007</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Attenuate QAMP as necessary during term</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Provide annual report on QA activities, due August of each year</u>		
Objective 4:		

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Measurements for Evaluating Results:
Indicators:
Efficiency:

Table 11.2.2 – Quality Implementation		
Goal: Implement QAMP		
<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
Objective 1: Provide quarterly updates to Environment Staff <u>Log books</u>	<u>2006</u>	<u>2010</u>
Objective 2: Advise contractors/service providers of QAMP responsibility	<u>2006</u>	<u>2010</u>
Objective 3: Assist and guide staff in QAPP development <u>Consult with EPA Quality Assurance Officer in QAPP review and approval process</u>	<u>2006</u>	<u>2010</u>
Objective 4: Advise staff on QAMP changes or modifications	<u>2006</u>	<u>2010</u>
Objective 5 Tribal Quality Assurance Officer and/or EPA staff to conduct audits, inspections, reviews <u>Project records</u> <u>Contract Labs</u> <u>Work plans:</u>	<u>2006</u>	<u>2010</u>

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Measurements for Evaluating Results:

Indicators:

Efficiency:

Table 11.2.3. – Quality Capacity Building

Goal: Improve Division and staff skills

Objectives	Time Period	
	Begin	End
Objective 1: Develop QA resources for Division	2006	2010
Objective 2: Tribal Quality Assurance Officer attends QA training and conferences as appropriate	2006	2010
Objective 3: Update and maintain reference library with software and reference books	2006	2010
Objective 4: Schedule in-house or external training for staff as appropriate	2006	2010
Objective 5: Tribal QAO - Attend EPA Quality Systems Conference; attend training as appropriate	2006	2010
Measurements for Evaluating Results: Increased capacity of Division and staff.		
Indicators: Reduction in errors and audit deficiencies		
Efficiency: Collaboration with EPA.		

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11.1.211.3 GEOGRAPHIC INFORMATION SYSTEMS **CDX priorities in all programs/list as a goal in all programs in the PPA.**

The Tribes Geographic Information Systems (GIS) goals and objectives are reflective of EPAs Information Service Delivery strategies that includes the linking of data partners, improving information access and development of an exchange network.

Program Goals and Objectives:

1. Provide access to Geographic Information System data and equipment for Division and Tribal environmental activities:

The SRMT GIS Program has compiled an extensive GIS data library about the St. Regis Mohawk Reservation and surrounding areas. In order to improve the quality and quantity of geographic information on which environmental decisions are made, the (G)ISGIS program would like to make GIS technology available to all interested Tribal programs.

The (G)IS Program will:

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- a. Schedule and offer annual ArcGIS, Global Positioning System (GPS), and metadata creation training.
- b. Provide technical assistance and guidance with projects.
- c. Develop guidelines and procedures for GIS data management and collecting geographic coordinates through GPS and make these documents available through intra-internet technology. Submit these QAPPs and SOPs for EPA approval.
- d. Share specific GIS and metadata datasets with Tribal programs and external agencies through intra-internet technology.
- e. Facilitate use of advances in GIS technology by:
 - i. regular, scheduled computer system upgrades in September of 2007 and September of 2010. (\$4k each time)
 - ii. upgrade the existing plotter to print/plot, copy, scan and archive oversize (map size) documents. (\$23k, once)
 - iii. upgrade GPS hardware to smaller, more mobile unit with the ability to utilize aerial images as a background. (\$6k, once)

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2. Provide an information technology infrastructure that facilitates improvements in data management and flow:

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ii. The GIS Program has grown from a single GIS Technician position to an information systems department consisting of a GIS Coordinator, Information Technology Technician and Data Entry Clerk. Many hardware and software improvements have been made with the USEPA's assistance in the form of two National Environmental Information Exchange Networking Grants in the amounts of \$100,000 each. The GIS Program will be applying for additional funding from that source but success is not assured. The critical activities funded by NEIEN should be continued.

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The Tribe's GIS Program reflects EPA National Strategic Plan Cross-Goal Strategies for Partnerships, Information, Innovation and Human Capital.

- a. Continue Full-time, permanent IT Tech position funded by PPG including computer system upgrades in May of 2006 and May of 2009 (\$2.5k each time) and two training sessions to learn new technology and/or advance skills.
- b. Continue full-time, permanent Data Entry Clerk funded by PPG: 50% air & 50% water including computer system upgrades in May of 2007 and May of 2010 (\$2.5k each time) and two training sessions to learn new technology and/or advance skills.
- c. Continue lease of T1 internet connection (\$18k per year) which includes:
 - i. Domain host for srnten.v.org
 - ii. E-mail services
 - iii. FTP services
 - iv. Teleconferencing coordination
- d. Continue network infrastructure upgrades:
 - i. Upgrade server in December of 2007 (\$10k).
 - ii. Upgrade networking equipment: switches, cabling, printers, ups', network cards (\$40k over 5 years)
 - iii. Microsoft Office site license (\$8k, once depending on Microsoft's releases of version upgrades)
 - iv. Norman Antivirus site license (\$1k, every 2 years)
 - v. Miscellaneous site licenses (SmartPix database, Quick Popup, Corel, Adobe, \$5k over 5 years)
- e. Continue efforts to transfer data (internet/wireless) to USEPA: AQS, STORET, Electronic Discharge Monitoring Reports using Central Data Exchange Priorities. Will require additional training for Water, Air, and Data Entry to use XML Schema(s).
- f. Continuous updates of Division web page.
- g. Develop guidelines and procedures for data management and network flow and make these documents available through intra-internet technology. Submit these QAPPs and SOPs for EPA approval.
- h. Establish a network connection to other Tribal buildings. Could include becoming an internet server: web page, maps, qapp, sop
- i. Implement Data Management and Archiving project:
 - i. Manage internal and external photos, reports, documents and forms.
 - ii. Requires personnel, software and equipment

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Table 11.3.#--1 -- Component Name GIS Access

Goal: Provide access to Geographic Information System data and equipment for Division and Tribal environmental activities

Objectives	Time Period	
	Begin	End
Objective 1: <u>Schedule and offer annual ArcGIS, Global Positioning System (GPS), and metadata creation training.</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Provide technical assistance and guidance with projects.</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Develop guidelines and procedures for GIS data management and collecting geographic coordinates through GPS and make these documents available through intra-internet technology. Submit these QAPPs and SOPs for EPA approval.</u>	<u>2006</u>	<u>2010</u>
Objective 4: <u>Share specific GIS and metadata datasets with Tribal programs and external agencies through intra-internet technology.</u>	<u>2006</u>	<u>2010</u>
Objective 5: <u>Facilitate use of advances in GIS technology</u> Sub-objectives: <u>Regular, scheduled computer system upgrades in September of 2007 and September of 2010. (\$4k each time)</u> <u>Upgrade the existing plotter to print/plot, copy, scan and archive oversize (map size) documents. (\$23k, once)</u> <u>Upgrade GPS hardware to smaller, more mobile unit with the ability to utilize aerial images as a background. (\$6k, once)</u>		
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

The GIS Program has grown from a single GIS Technician position to an information systems department consisting of a GIS Coordinator, Information Technology Technician and Data Entry Clerk. Many hardware and software improvements have been made with the USEPA's assistance in the form of two National Environmental Information Exchange Networking Grants in the amounts of \$100,000 each. The GIS Program will

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be applying for additional funding from that source but success is not assured. The critical activities funded by NEIEN should be continued.

Continue Full-time, permanent IT Tech position funded by PPG including computer system upgrades in May of 2006 and May of 2009 (\$2.5k each time) and two training sessions to learn new technology and/or advance skills.

Table 11.3.2 – IT Infrastructure

Goal: Provide an information technology infrastructure that facilitates improvements in data management and flow

<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective 1: Continue full-time, permanent Data Entry Clerk funded by PPG: 50% air & 50% water including computer system upgrades in May of 2007 and May of 2010 (\$2.5k each time) and two training sessions to learn new technology and/or advance skills.</u>	<u>2006</u>	<u>2010</u>
<u>Objective 2: Continue lease of T1 internet connection (\$18k per year) which includes:</u>		
<u>Domain host for srmtenv.org</u>		
<u>E-mail services</u>	<u>2006</u>	<u>2010</u>
<u>FTP services</u>		
<u>Teleconferencing coordination</u>	<u>2006</u>	<u>2010</u>
<u>Objective 3: Continue network infrastructure upgrades:</u>		
<u>Upgrade server in December of 2007 (\$10k).</u>		
<u>Upgrade networking equipment: switches, cabling, printers, ups', network cards (\$40k over 5 years)</u>		
<u>Microsoft Office site license (\$8k, once depending on Microsoft's releases of version upgrades)</u>		
<u>Norman Antivirus site license (\$1k, every 2 years)</u>		
<u>Miscellaneous site licenses (SmartPix database, Quick Popup, Corel, Adobe, \$5k over 5 years)</u>		
<u>Measurements for Evaluating Results:</u>		
<u>Indicators:</u>		
<u>Efficiency:</u>		

~~11.1.3~~11.4 ~~EE~~ENVIRONMENTAL ASSESSMENTS

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Accomplishments

The Environmental Assessment Process has grown and developed since the beginning of the PPA in the year 2000. The process was updated in 2002 in response to requests from the community and the Haudonosaunee Environmental Task Force. The requests from the community included simplifying the process and making it available online. The requests were taken into consideration and the forms were reviewed for unnecessary sections and verbiage. During this review the HETF requested that the new process reflect the culture and community of the Mohawk people. A suggestion was brought forth to utilize the Thanksgiving Address and making it integral to the process as a whole. Several months were required to draft and amend the process. A final draft was prepared and distributed for review. In April 2003 the new process was adopted and implemented. The entire process was made available online and new projects began using the process.

The Categorical Exclusion was an underutilized option for the program. Beginning in 2002 the option was taken on a number of small renovation projects. That same year the CatEx process was streamlined concurrently with the EA process. The new CatEx process was approved for use in April of 2003 and made available online. The CatEx process has been an efficient means of processing small projects with minimal or nonexistent impacts that otherwise would have required significant amounts of staff time to process.

Overall Program Goal

The overall project goal is to implement a process in which the environment will be protected from future construction and development projects, public or private. The Environmental Assessment program is a safeguard meant to insure all aspects of environmental protection are included during the assessment process.

Overall Project Statement

The St. Regis Mohawk Tribe will fulfill its obligation for Environmental Protection by implementing a standardized Environmental Assessment Process insuring proper safeguarding of the environment in future construction projects.

The assessment process has been implemented in the public construction projects representing 100% of the projects publicly funded. Private facilities, under NEPA are not required to participate, are difficult to capture in the process. The intention of the next five years is to

capture 100% of the private enterprise construction projects that are licensed (gaming, petroleum, tobacco or alcohol) through the Tribe.

Currently the Environmental Assessment process is covered under TCR 89-34 Tribal Emergency Pollution Authority. This law is broad based and generic. A law with specific provisions for the Environmental Assessment process is required to better benefit the program. Year one will be dedicated to the development of the proposed law. Year two will be spent on the requirements of passage. Years three through five will be implementation years.

The Tribe's Environmental Assessment Program reflects EPA National Strategic Plan Goal 5 Compliance and Environmental Stewardship, Objective 5.2 Improve Environmental Performance, Sub-objective 5.2.1 Prevent Pollution and Promote Environmental Stewardship by Government and the Public, 5.2.2 Prevent Pollution and Promote Environmental Stewardship by Business, 5.2.3 Business and Community Innovation, 5.2.4 Environmental Policy Innovation, Objective 5.3 Build Tribal Capacity.

Table 11.4.1 – Environmental Assessment Process

Goal: The overall project goal is to implement a process in which the environment will be protected from future construction projects, public or private. The Environmental Assessment program is a safeguard meant to insure all aspects of environmental protection are included during the assessment process.	
Objectives	Time Period
Objective 1: Increase coverage of projects covered by Environmental Assessments to include all Tribally Licensed facilities	Jan 2006 Dec 2010
Objective 2: Prepare and Present Environmental Protection Act	Jan 2006 Dec 2006
Objective 3: Pass Environmental Protection Act and begin implementation	Jan 2007 Dec 2010
Measurements for Evaluating Results: Percentage increase in privately funded development project files under Tribal License.	
Indicators: Files for all development projects of Tribally Licensed Facilities. A Tribal Council Resolution indicating passage of Environmental Protection Act.	
Efficiency: Documents will be made available online through the Environment Division Website	

The Tribe, under the GAP program, developed a means for assessing environmental impacts due to development and construction activities on the reservation. The Tribes assessment process is an environmental review and is based on traditional precepts as well as fulfilling requirements under the National Environmental Protection Act (NEPA). The Tribe realizes the importance of proper planning for development, whether it be a road, a new business or daycare center. The process challenges developers to consider all environmental factors that may be introduced as a result of their activities. The Tribe seeks to expand upon this process, provide greater

community awareness, garner participation in the process and eventually codify the process into Tribal law. USEPA will provide Tribe with opportunities for National Environmental Policy Act (NEPA) and Environmental Impact Statement (EIS) training.

Indicators

- ☐Planned development
- ☐Archaeological considerations

Table #. — Component Name	
Goal:	
Objectives	Time Period
	End
Objective 1:	
Objective 2:	
Objective 3:	
Objective 4:	
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

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11.5 11.2 — POLLUTION PREVENTION

POLLUTION PREVENTION (P2) GOALS & OBJECTIVES (2006-2011)

Program Goal

Preserve Mother Earth and create a healthy community for our future generations.

Approach

Three programs that the Tribe is interested in establishing and executing include: (1) Refrigerant recovery; (2) Going Green; (3) Dixon reduction. Tables 6-8 show the objectives for these programs.

Table 11.5.61. P2 - Refrigerant Recovery		
Goal: Reduce the Freon emissions associated with the recycling of appliances.		
Objectives	Time Period	
	Begin	End
Objective 1: Research regulatory requirements for execution of a refrigerant recovery program.	2006 2006 2010	
Objective 2: Explore options for reducing Freon emissions.	2006	2006
Objective 3: Develop program based on selection of best options from Objective 2.	2007	2007
Objective 4: Execute program.	2008 2011 2010	
Measurements for Evaluating Results: (1) program developed; (2) amount of freon Freon captured.		
Supporting Narrative: The Tribe executes a fall cleanup program where freon Freon containing appliances are collected. In the past, the Tribe has had to contract with an agency to capture the freon Freon from these appliances.		
The Tribe would like to determine if it would be feasible to establish their own refrigerant recovery program or continue contracting this service out. If deemed feasible, then the Tribe would set up and execute a Tribal collection program.		

Table 11.5.2. P2 - Going Green		
Goal: Incorporate green practices into the Tribe's normal business activities.		
Objectives	Time Period	
	Begin	End
Objective 1: Establish & execute green operating procedures.	2000	2010
Measurements for Evaluating Results: (1) number of green practices executed; (2) number of green products purchased; and (3) reduction of pollutants emitted.		
Supporting Narrative: As part of their normal business activities, the Tribe purchases thousands of products every year, holds hundreds of meetings, operate vehicles using gasoline and diesel fuels, and performs numerous construction projects. Consequently, the Tribe has opportunities to minimize the negative impacts on the environment through the use of green operating practices.		

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Table 8 Table 11.5.3, P2 - Dioxin Reduction		
Goal: Reduce the amount of dioxin emissions from the open burning of solid wastes.		
Objectives	Time Period	
	End	
Objective 1: Quantify the number of people using open burning as a method for disposal.	2006	2007
Objective 2: Develop Kwis & Tiio motivational educational project.	2007	2008
Objective 3: Execute Kwis & Tiio motivational educational project.	2008	2011
	2010	
Measurements for Evaluating Results: (1) decrease in the number of people using open burning; and (2) reduction of Dixon emissions.		
Supporting Narrative: The educational project would create an interactive CD-ROM that could be used as a tool to show people that their personal choices to use burning directly impacts the well-being of their community.		
The CD-ROM also would teach decision making skills, which are needed for people to make decisions that will benefit their community's well being.		

Personnel Requirements

Executing the Tribe's Pollution Prevention program would require hiring an additional staff member to oversee this program. Consequently, the successful implementation will depend on the Tribe's ability to receive funding to support this extra staff member.

11.2.1 GREEN BUILDINGS (Green office building for Environment and Administration offices)

Table #. P2 — Component Name	
Goal:	
Objectives	Time Period
	End
Objective 1:	
Objective 2:	
Objective 3:	
Objective 4:	
Measurements for Evaluating Results:	

Indicators:

Efficiency:

11.6 11.2.2—ENERGY

The Tribe previously had conducted a pilot project through the support of PACE University to study energy usage on the reservation and to explore potential for alternative energy sources, delivery of low cost electricity and establishment of energy conservation measures community wide.

The Department of Energy (DOE) recently reported that in Native American communities, 14.2 percent of homes are without electricity, compared to 1.4 percent in the remainder of the country. A typical Indian household spends 4 percent of its income on electricity while the average U.S. home only spend half of this amount. In the poorest, most remote communities, the average spent on electricity is almost 20 percent of income. A random survey of Akwesasne Housing Authority records supports DOE study.

U.S. Energy Secretary Bill Richardson explained in the 65-page report that, "Every Tribe must have access to sufficient, affordable and reliable electricity." It is DOE's hope that this study will set a foundation for long-range economic growth by helping Tribes better evaluate energy needs so that Indian Country can improve access to services.

It is the intent of the Tribe to seek assistance to further develop opportunities that will improve access to energy for the reservation.

Indicators

- ☐ Reduced dependence on fossil fuel
- ☐ Reduced energy costs
- ☐ Innovative technology and markets

Table 11.6.#-1 – Component NameEnergy

Goal: Promote energy conservation and support alternative energy resource development and usage that are environmentally sound.

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Objectives	Time Period	
	Begin	End
Objective 1: <u>Promote energy efficiency in Tribal governmental operations.</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Promote energy efficiency in the community.</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Utilize alternative fuels vehicles in Tribal fleet.</u>	<u>2006</u>	<u>2010</u>
Objective 4:		
Measurements for Evaluating Results: <u>Reduced energy consumption in Tribal governmental buildings and in reservation homes. Increased number of alternative fuel vehicles in Tribal fleet.</u>		
Indicators: <u>Reduced dependence on fossil fuel. Reduced energy costs. Innovative technology and markets. Reduction in fossil fuel emissions.</u>		
Efficiency:		



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11.7 11.3 — LEGAL

The Tribe's Environment Division relies upon outside counsel for legal services. The Tribe seeks technical and financial support for its various programs to address the many legal issues that are often encountered in the course of managing its programs. These may include drafting regulations, drafting memoranda of agreement, reviewing legal documents, and responding to legal notices for permits. Others legal issues involve enforcement and compliance actions, cost recovery, interpretation of Federal standards, defense of the Division in the event of suit or other legal actions, filing notices or submitting comments to various agencies with regard to protecting Tribal environmental rights.

Goals and Objectives

1. Obtain appropriate technical and financial support to address environmental legal issues:
 - a. Monitor federal environmental legislation, acts and mandates
 - i. Obtain legal interpretations on state and federal environmental legislation
 - ii. Prepare comments on state and federal rulemaking
 - iii. Provide testimony to state and federal legislative bodies
 - b. Develop Tribe's environmental legal infrastructure

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i. Consult and coordinate with Tribal justice program to structure environmental regulations and penalties and fines

Long-term measures: Protection of Mohawk rights

Indicators:

Efficiency:

Table 11.7.1# - Legal Support	
Goal: Develop Tribe's environmental legal infrastructure	
Objectives	Time Period Begin End
Objective 1: Objective 12: Obtain appropriate technical and financial support to address environmental legal issues.	2006 2010
Objective 32: Consult and coordinate with Tribal justice program to structure environmental regulations and penalties and fines	2006 2010
Objective 4: Measurements for Evaluating Results: Increased environmental legal capacity. Reduction in funds expended for external legal counsel.	
Indicators:	
Efficiency:	

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Table 11.7.2 - Legislative monitoring	
Goal: Monitor federal environmental legislation, acts and mandates	
Objectives	Time Period Begin End
Objective 1: Obtain legal interpretations on state and federal environmental legislation	2006 2010
Objective 2: Prepare comments on state and federal rulemaking	2006 2010
Objective 3: Provide testimony to state and federal legislative bodies	2006 2010
Measurements for Evaluating Results: Protection of Mohawk rights.	
Indicators: Preservation of legal rights for future generations.	
Efficiency: Usage of Tribal Mohawk attorneys.	

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Table 11.7.3 – Program Elements		
Goal: Provide support to individual environmental programs		
Objectives	Time Period	
	Begin	End
Objective 1: Provide legal assistance in drafting environmental standards and regulations	2006	2010
Objective 2: Modify TAS documents appropriate to boundary changes	2006	2010
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

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11.8 11.4 — ENFORCEMENT AND COMPLIANCE

The St. Regis Mohawk Tribe as a sovereign retains the authority to regulate and enforce laws within the St. Regis Mohawk Reservation, including environmental laws. The Tribe has developed numerous laws and regulations over the past decade and a half to ensure the protection of its members and resources from environmental indiscretions. The foundations for environmental regulation were precisely laid with the establishment of air quality, water quality, wetlands protection, hazardous waste and solid waste management programs. Each of these programs has developed tribal and some tribal with federally enforceable regulations for the protection of the environment.

Some measures were taken to begin developing the Tribe's environmental enforcement capacity with marginal success in areas of training, surveys and operational procedures. The Tribe desires to continue in the path of capacity building and development of its own program and augmentation from EPA and other enforcement agencies through the establishment of Memoranda of Agreements (MOAs).

The Tribe's goals and objectives are reflective of Leavitt's 500-day strategic plan in that they provide for collaboration between the Tribe and other agencies; focus effort and responsibility on the tribal level and include educational components. They are also reflective of the EPA National Strategic Plan Goal 5, Compliance and Environmental Stewardship: Improving environmental performance through compliance with environmental requirements, preventing pollution, and promoting environmental stewardship. Protect human health and the environment by encouraging innovation and providing incentives for governments, businesses and the public that promote environmental stewardship. The Tribe's goals and objectives also reflect EPAs Objective 5.1, Improve Compliance, Sub-objective 5.1.1 Compliance Assistance, Sub-objective 5.1.2, Compliance Incentives and Sub-objective 5.1.3, Monitoring and Enforcement.

Goals and Objectives

Table 11.8.1- P2—Enforcement Program		
Goal 1 : Develop and maintain a viable and stable enforcement program		
Objectives	Time Period	
	Begin	End
Objective 1: Hire and maintain 2 conservation Officers	2006	2010
Objective 2: Develop standard operating procedures for field enforcement	2006	2010
Objective 3: Develop long-term budgetary projections for program	2006	2010
Objective 4: Develop MOAs with EPA and other enforcement agencies as appropriate	2006	2010
Measurements for Evaluating Results: <u>Establishment of environmental compliance presence.</u>		
<u>Increased number of inspections. Developed procedures and policies manual.</u>		
Indicators: <u>Reductions in violations translates to decreased pollution and impacts to the community.</u>		
Efficiency: <u>Utilization of various federal training resources.</u>		

- d.
- 2.Compliance Enforcement and Monitoring
 - a.Assist Division Programs with enforcement actions and monitoring
 - i.Conduct Inspections
 - ii.Conduct investigations upon receipt of complaints
 - iii.Conduct investigations, self initiated
 - iv.Research or establish baselines
 - b.Documents and track enforcement actions

Table 11.8.22, Regulation and Compliance		
Goal: Enforce Tribal regulations and monitor compliance		
Objectives	Time Period	
	Begin	End
Objective 1: Assist Division Programs with enforcement actions and monitoring	2006	2010
Conduct Inspections		
Conduct Investigations upon receipt of complaints		
Objective 2: Document and track enforcement actions	2006	2010

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Measurements for Evaluating Results: Number enforcement actions, inspections and complaints.

Indicators: Reduction in enforcement actions, increased number of inspections.

Efficiency:

b.

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~~3. Promote Compliance Assistance and Assurance~~

~~a. Implement community education and awareness programs~~

~~i. Enforcement action—punitive~~

~~ii. Pro-active education~~

~~b. Work with businesses toward compliance through assisting them~~

~~i. Provide technical assistance~~

~~ii. Provide financial incentive where appropriate~~

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Table 11.8.3, Compliance Assistance and Assurance

Goal: Promote Compliance Assistance and Assurance

Objectives	Time Period	
	Begin	End
Objective 1: Implement community education and awareness programs Enforcement action – punitive Pro-active education	<u>2006</u>	<u>2010</u>
Objective 2: Work with businesses toward compliance through assisting them Provide technical assistance Provide financial incentive where appropriate	<u>2006</u>	<u>2010</u>
Objective 3:		
Objective 4:		

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Measurements for Evaluating Results: Increased awareness of Tribal and Federal compliance regulations. Promotion of Tribally sensitive compliance and assistance program. Number of business assisted.

Indicators: Reduced pollution and impacts to the environment.

Efficiency:

a-
b-
c-

d-

Table 11.8.4. Capacity Building		
4.1 Goal: Build capacity of conservation officers		
Objectives	Time Period	
	Begin	End
Objective 1: Participate in NETI training opportunities	2006	2010
Objective 2: Participate in USFWS training opportunities	2006	2010
Objective 3 Participate in CID training opportunities:	2006	2010
Objective 4: Participate in NAFWS training opportunities	2006	2010
Measurements for Evaluating Results: <u>Number and type of courses attended by officers.</u>		
Indicators: <u>Increased skill. Higher quality inspection activities. Reduction/elimination of work related injury.</u>		
Efficiency: <u>Utilization of Federal training resources.</u>		

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Table 11.8.5. P2—Tribal Environmental Adjudication		
Goal: Integrate Environmental Enforcement into Tribal Judicial program		
Objectives	Time Period	
	Begin	End
Objective 1: Consult with Tribal Judicial office	2006	2010
Measurements for Evaluating Results: <u>Developed capacity of Tribal court to hear environmental cases.</u>		
Indicators: <u>Number of environmental cases heard.</u>		
Efficiency:		

⌕
⌕

Table 11.8.6: Program Support		
Goal: Obtain resources for enforcement activities		
Objectives	Time Period	
	Begin	End
Objective 1: Purchase vehicles, supplies, equipment	2006	2010
Measurements for Evaluating Results: <u>Increase in resources for enforcement program.</u>		
Indicators: <u>Increased capacity to conduct enforcement activities.</u>		
Efficiency:		

⌕

a. ~~Attend conferences and meetings to assist EPA in development tribal enforcement programs and budgetary needs~~

Table 11.8.7: Policy		
Goal: Participate in National Tribal Enforcement Program development		
Objectives	Time Period	
	Begin	End
Objective 1: Attend conferences and meetings to assist EPA in development of tribal enforcement programs and budgetary concerns	2006	2010
<u>Objective 2: Attend conferences and meetings to assist EPA in development of tribal enforcement programs and budgetary needs.</u>	2006	2010
Measurements for Evaluating Results: <u>Direction and guidance provided to EPA on Tribal enforcement.</u>		
Indicators: <u>Tribally sensitive enforcement programs developed.</u>		
Efficiency:		

⌕

Long-Term Measures: Increased number of conservation officers; reductions in non-compliance (compared to baselines) with tribal and tribal/federally enforceable environmental regulations; reductions in wetlands impacts.

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Indicators: Healthy wetlands, reduction of open dumps, reduction in uncontrolled water quality and air quality impacts. ~~Establishment~~Establishment of MOAs.

Efficiency: Collaboration with state and federal enforcement agencies as appropriate for training and enforcement actions.

11.8.1 Underground Storage Tank (UST)

In FY 2003 the St. Regis Mohawk Tribe, Environment Division conducted an assessment of Underground Storage Tanks (UST) on the St. Regis Mohawk Reservation (reservation) as part of an overall multi-media enforcement assessment and inventory. The assessment indicated that several UST are present on the reservation and have not been fully characterized and tested for integrity and leakage. The Tribe seeks to develop and maintain an UST compliance program with the support of financial and technical assistance from USEPA, Region 2. In developing its UST program the Tribe will be capable of characterizing and testing UST and conducting inspections.

Project Goals and Objectives

<u>Table 11.8.1.1 – UST Capacity</u>		
<u>Goal: Build Tribal UST Capacity</u>		
<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective: Attend appropriate training; Consult with USEPA Regional UST Office; Review EPA UST program regulations and literature.</u>	<u>2006</u>	<u>2010</u>
<u>Measurements for Evaluating Results:</u>		
<u>Number of training courses attended; Increased knowledge skills and abilities of staff;</u>		
<u>Number and types of regulations and? reviewed.</u>		
<u>Indicators: Reduction/elimination of risk to ground water.</u>		
<u>Efficiency:</u>		

<u>Table 11.8.1.2 – UST Compliance</u>		
<u>Goal: Attain 100% UST Compliance.</u>		
<u>Objectives</u>	<u>Time Period</u>	
	<u>Begin</u>	<u>End</u>
<u>Objective: Fully characterize and facilitate full compliance of known existing UST in two years; Identify and facilitate full compliance of additional unknown UST within 3 years; Fully characterize known existing UST; Identify additional unknown UST; Develop inspection and monitoring program; Provide outreach and educational materials to facility owners/managers; Oversight of facility monitoring inspection plan development.</u>	<u>2006</u>	<u>2010</u>

Measurements for Evaluating Results: Number of UST characterized; Number of UST added to inventory; Approved inspection and monitoring program; Number of facilities accessed in outreach and education.
Indicators: Reduction/elimination of impacts to ground water.
Efficiency:

Table 11.8.1.3 – UST Ground Water Impacts		
Goal: Minimize impacts to ground water through UST program implementation.		
Objectives	Time Period	
	Begin	End
Objective 1: Bring facilities into compliance.	2006	2010
Measurements for Evaluating Results: Ground water quality.		
Indicators: Reduction/elimination of ground water impacts.		
Efficiency:		

Table 11.8.1.4 – Tribal Lands Expansion		
Goal: Plan for future UST concerns from Tribal land expansion.		
Objectives	Time Period	
	Begin	End
Objective 1: Develop long-term plan for addressing UST concerns relating to tribal land acquisitions.	2006	2010
Measurements for Evaluating Results: Reduction of UST impacts to acquired lands; UST added to inventory; UST brought into compliance.		
Indicators: Reduction/elimination of ground water impacts.		
Efficiency:		

11.8.2 Underground Injection Control (UIC)

In FY 2003 the St. Regis Mohawk Tribe, Environment Division conducted an assessment of Underground Injection Control (UIC) systems on the St. Regis Mohawk Reservation (reservation) as part of an overall multi-media enforcement assessment and inventory. The assessment indicated that several small UIC are present on the reservation and that the facilities where they are located would benefit from further characterization so that mitigation plans could be developed to correct the UIC problems. The Tribe seeks to retain and further develop its capacity to address UIC on the reservation through education, awareness, prevention and providing the community with technical assistance through the help of USEPA Region 2.

Table 11.8.2.1 – UIC Prevention and Control
Goal: Eliminate UIC impacts to the environment.

Objectives	Time Period	
	Begin	End
<u>Objective 1: Maintain current inventory and update periodically through survey.</u>	<u>2006</u>	<u>2010</u>
<u>Objective 2: Provide information to businesses about UIC.</u>	<u>2006</u>	<u>2010</u>
<u>Objective 3: Obtain and provide technical assistance with UIC as appropriate.</u>	<u>2006</u>	<u>2010</u>
<u>Measurements for Evaluating Results: Updated UIC inventory; number of businesses assisted; Reduction in ground water contamination; reduction in chemicals introduced into UIC. Reduction of impacts to groundwater from UIC.</u>		
<u>Indicators: Ground water quality. Increased business owner awareness.</u>		
<u>Efficiency:</u>		

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11.9

11.5—CULTURAL RESOURCES

In conducting its environmental mission the Tribe is cognizant of retaining and preserving its cultural resources, current and historic. Mohawk culture is tied directly to the environment. Mohawks depend upon the natural world for all that it provides; food shelter, medicines. These are reflected in the thanksgiving address. The Tribe will work within its authority and capacity to preserve cultural resources in conducting internal operations as well as monitoring those that are external, such as business development.

Goals and Objectives

1. Preserve, protect and enhance natural resources that are culturally significant
 - a. Develop and integrate cultural resource management processes into all aspects of its operations
 - i. Identify historic and current culturally significant resources
 - ii. Record the Mohawk names of identified resources and give descriptive accounts of their use and significance and retain them in a proprietary database and/or filing system that is linked to GIS
 - iii. Develop and assessment plan for surveying culturally significant resources
 - b. Develop a cultural resources management plan and protection policy
 - i. Designate areas of significance and species at risk
 - ii. Integrate management plan and policies into tribal operations
 - iii. Educate community and businesses about management plan and policies

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Long term measures: Maintained baseline of identified resources.

Indicators: Preservation of culturally significant resources; integration of plan and policies into tribal operations.

Efficiency: Interdepartmental collaboration.

Table 11.9.#-1- Cultural Preservation, protection and enhancement		
Component Name		
Goal: <u>Preserve, protect and enhance culturally significant natural resources</u>		
Objectives	Time Period	
	Begin	End
Objective 1: <u>Develop and integrate cultural resource management processes into all aspects of its operations</u> <u>Sub-objectives:</u> <u>Identify historic and current culturally significant resources</u> <u>Record the Mohawk names of identified resources and give descriptive accounts of their use and significance and retain them in a proprietary database and/or filing system that is linked to GIS</u> <u>Develop and assessment plan for surveying culturally significant resources</u>	2006	2010
Objective 2: <u>Develop a cultural resources management plan and protection policy</u> <u>Sub-objectives:</u> <u>Designate areas of significance and species at risk</u> <u>Integrate management plan and policies into tribal operations</u> <u>Educate community and businesses about management plan and policies</u>	2006	2010
Objective 3: Objective 4:		
Measurements for Evaluating Results: <u>Maintained baseline of identified resources.</u>		
Indicators: <u>Preservation of culturally significant resources; integration of plan and policies into tribal operations.</u>		
Efficiency: <u>Interdepartmental collaboration.</u>		

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11.10

~~11.5.1~~ CONSULTATION AGREEMENT

Key to the relationship established within this PPA is clear and open channels of communication. Moreover, EPA's Indian Policy is based on a government-to-government relationship between EPA and Tribes. In Policy principle 6, "The Agency Will Encourage Cooperation Between Tribal, State and Local Governments to Resolve Environmental Problems of Mutual Concern", early communication is encouraged and exemplifies consultation.

The Tribe signed a, Consultation and Notification Policy Agreement, Between the St. Regis Mohawk Tribe and Region 2, EPA in the fall of 2003. This agreement articulates the guiding principles, roles and responsibilities and commitments for a mutual consultation process to occur between the Tribe and EPA Region 2.

The concepts of the principles and commitments of the signed agreement are reflected and embodied in this PPA as goals and objectives. In EPA's National Strategic Plan, Appendix 3, EPA's consultation efforts are described in the development of the plan. EPA considers consultation as being integral to the agency's strategic planning process and to achieving its goals and objectives. Within the Strategic Plan under Cross-Goal Strategies, EPA has committed to working with tribes on a government-to-government basis, including taking steps for collaboration and use of innovative approaches and coordination.

Table 11.10.#-1 – Consultation

Goal: Enhance environmental decision making
--

Objectives	Time Period — End
Objective 1: <u>Review and comment on draft program guidance provided to Tribe in a timely manner</u>	<u>2006</u> <u>2010</u>
Objective 2: <u>Communicate inspection and enforcement actions of concern</u>	<u>2006</u> <u>2010</u>
Objective 3: <u>Develop and utilize electronic measures for communication with assistance of EPA</u>	<u>2006</u> <u>2010</u>
Objective 4: <u>Develop MOA's where appropriate</u>	<u>2006</u> <u>2010</u>
Objective 5: <u>Review and comment on planned EPA permit actions (CAA Section 309, CERCLA 104(b)(2)) provided by EPA</u>	<u>2006</u> <u>2010</u>
Objective 6: <u>Work with EPA to establish coordination and consultation procedures for National Historic Preservation Act activities</u>	<u>2006</u> <u>2010</u>
Objective 7: <u>Participate in building notification and consultation processes with New York State Department of Environmental Conservation</u>	<u>2006</u> <u>2010</u>
Measurements for Evaluating Results: <u>Number of guidance and permit documents reviewed. Number of communiqués. Notifications received.</u>	
Indicators: <u>Enhanced decision making.</u>	
Efficiency:	

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11.11 11.6—COMMUNITY INVOLVEMENT

Community input and guidance for the Tribe's Environment Division is important to ensuring community environmental needs are met. The first step in the community involvement process is communicating what the Division is responsible for and sharing many of the successes in the past and developing goals for the future. The Division has shared its vision with the community during the development of the PPA but desires to continue with community participation through various means on a regular basis. At least annually the Division will communicate achievement of various goals established by the community and embodied within the PPA. Feedback and response will allow program managers to adjust work plans and activities depending on the level of success with goals established.

The Tribe's Environment Division invites EPA to partner with it to work together and ensure that innovative and effective methods are used to communicate and educate the community. EPA's involvement is important and essentially based in their Public Involvement Policy and Environmental Justice Policy. Their involvement at certain levels ensures communication of updated information regarding environmental protection.

Table 11.11.1# – Component NameState of the Environment	
Goal: <u>Provide the community with a State of the Environment Report each year.</u>	
Objectives	Time Period <u>-Begin</u>
Objective 1: <u>Coordinate annual State of the Environment with program managers.</u>	<u>2006</u> <u>2010</u>
Objective 2: <u>Schedule and deliver State of the Environment public participation meeting and deliver report.</u>	<u>2006</u> <u>2010</u>
Objective 3: <u>Receive input and feedback from community.</u>	<u>2006</u> <u>2010</u>
Objective 4: <u>Adjust work plan activities as appropriate to feedback and achievements.</u>	<u>2006</u> <u>2010</u>
Measurements for Evaluating Results:	
Indicators:	
Efficiency:	

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11.12 ~~11.6.1~~ – ENVIRONMENTAL HEALTH EDUCATION

Program – Tribal Environmental Health Education Activities (TEHEA)

The TEHEA program seeks to promote the awareness of environmental toxins (PCBs, Dioxin, Lead, Mercury, etc) and their impact on human health through the development of brochures, newsletters, and newspaper articles. Another important component of the project is to coordinate training workshops for the benefit of furthering environmental health knowledge and environmental health disease pathways for health care providers at the St. Regis Health Service Clinic. An Environmental Health Clearinghouse (EHC) of information was also created to provide a centrally located repository of environmental health related documents, fact sheets and articles.

~~**Goal**—Provide the community with current, understandable information regarding environmental conditions, activities, and programs that gives members the opportunity to make informed health choices for their families.~~

~~**Objective**—Create a public relations plan that includes releasing weekly press releases through local media outlets (newspapers, tribal newsletters, radio etc).~~

~~**Objective**—Develop a reader friendly “State of the Tribal Environment” document covering the years between 1996-2006 that outlines and evaluates where our community has progressed~~

~~environmentally. Address the areas where more focus is needed. Focus on reservation environment not including industries. Solid waste, underground storage tanks, air quality, water quality and natural resources would be the focus.~~

~~Objective—Make documents in the Environmental Health Clearinghouse (EHC) accessible over the Internet through our website. Send out disks to the community.~~

~~Objective—Place the Iroquois Environmental Newsletter (IEN) online.~~

~~Objective—Coordinate secondary primary caregivers workshops focusing on contaminants of concern, not covered in the original series. Conduct survey to determine workshop topics.~~

~~Long Term Measures:~~

~~Indicators:~~

~~Efficiency:~~

~~**Goal—Create youth based environmental education project that promotes further understanding of the importance of sustaining and enhancing the natural world for themselves and future generations.**~~

~~Objective—Develop youth based environmental curriculum that incorporates aspects of Mohawk culture i.e. Thanksgiving Address.~~

~~Objective—Create an interactive CD-Rom that informs community of different aspects of Akwesasne ecosystem including wetland areas, river health, fish study information, etc. Distribute to the community and make available for other Indian nation environmental departments.~~

Table 11.12.#.-1. – Component NameInformed Community

Goal: Provide the community with current, understandable information regarding environmental conditions, activities, and programs that gives members the opportunity to make informed health choices for their families.

Objectives	Time Period	
	Begin	End
Objective 1: <u>Create a public relations plan that includes releasing weekly press releases through local media outlets (newspapers, tribal newsletters, radio etc).</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Develop a reader-friendly “State of the Tribal Environment” document covering the years between 1996-2006 that outlines and evaluates where our community has progressed environmentally. Address the areas where more focus is needed. Focus on reservation environment not including industries. Solid waste, underground storage tanks, air quality, water quality and natural resources would be the focus.</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Make documents in the Environmental Health Clearinghouse (EHC) accessible over the Internet through our website. Send out disks to the community.</u>	<u>2006</u>	<u>2010</u>
Objective 4: <u>Place the Iroquois Environmental Newsletter (IEN) online.</u>	<u>2006</u>	<u>2010</u>
Objective 5: <u>Coordinate secondary primary caregiver’s workshops focusing on contaminants of concern, not covered in the original series. Conduct survey to determine workshop topics.</u>	<u>2006</u>	<u>2010</u>
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

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Table 11.12.2. – Youth Based Environmental Education		
Goal: Create youth based environmental education project that promotes further understanding of the importance of sustaining and enhancing the natural world for themselves and future generations.		
Objectives	Time Period	
	Begin	End
Objective 1: Objective - Develop youth-based environmental curriculum that incorporates aspects of Mohawk culture i.e. Thanksgiving Address.	2006	2010
Objective 2: Objective – Create an interactive CD-Rom that informs community of different aspects of Akwesasne ecosystem including wetland areas, river health, fish study information, etc. Distribute to the community and make available for other Indian nation environmental departments.	2006	2010
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

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11.13

11.6.2 ENVIRONMENTAL JUSTICE

Program Description:

—The SRMT Environment Division seeks to address Environmental Justice and Environmental Equity issues by integrating Mohawk Cultural elements into its every day operations. The SRMT is seeking cooperation and implementation of EPA Region 2 Environmental Justice Policy that is committed to providing equal protection to all communities they serve. It is up to EPA Region 2 to follow their own policy to incorporate EJ in its technical and management decisions and actions. The Tribe looks to the EPA to implement its policy within Akwesasne, and to ensure that their core program activities are resulting in equitable treatment by integrating Mohawk cultural elements into their technical and management decisions and actions. The SRMT Environment Division hopes to work in partnership with the EPA and its EJ policy to incorporate cross cutter/enabling strategies as stressed in the Regional Strategic Plan to achieve the goals.

In May 2003 the SRMT Tribal Council wrote a request to EPA to conduct an Environmental Justice Analysis on the St. Lawrence Watershed resources that affect the tribe. The Tribe is still waiting for the results of this analysis from the EPA. "It is the Region's intent to use the Interim Policy to ensure that we can identify, target and be responsive to those communities that experience disproportionately high and adverse human health and environmental burdens...the Region intends to respond to community concerns and to be able to identify communities where EJ concerns may arise" (USEPA Region 2 Interim Environmental Justice Policy, Tsiiothorha/December 2000). The SRMT Environment Division will continue to work in

consultation with the EPA to produce and review the results of this analysis in attempts to work towards more meaningful community involvement within Akwesasne. Where opportunities may exist to target specific technical, data, and community involvement needs, financial assistance is requested.

It is stressed that this program is currently NOT in place, as EPA partnership and EPA policy Implementation is critical for “meaningful involvement” to the community members of Akwesasne. The Goals and Objectives amongst the Region, SRMT Environment Division, and Akwesasne Community to work together in partnership.

Financial Request:

GIS— There are tTechnical needs for data production, cataloguing database, historical and local data collection for industrial environmental burden and Akwesasne Health and cultural data. Technical review of Environmental Justice analysis for GIS boundaries and for future progress analysis.

Outreach- There are Rresource needs for methods to communicate environmental concerns, data, and industrial remedial action progress to the Community. Costs would include media sources such as flyers, newsletters, broadcasting, ~~video~~and video. In order to reach all community members, both English and Mohawk languages will be utilized. Financial assistance would also be needed for meeting materials, ~~accomadations~~accommodations, and events.

Environmental Justice Liaison-
(SRMT Community Involvement Coordinator)- Act as Liaison between Tribe and EPA to coordinate EPA involvement with Community, Tribal Council, and other community based Environmental Groups (i.e. First Environment, ATFE, etc.) to achieve Environmental Equity and Justice within Akwesasne Territory through more meaningful involvement with the community.

Goal: ~~Implement Environmental Justice and Environmental Equity goal into Environmental Division Programs.~~

Objective: ~~Coordinate efforts amongst NRDA, Site-Specific, Air, and Water Environment Division Programs to determine extent of environmental degradation of the environment and natural resources of the St. Regis Mohawk Territory.~~

Long Term Measures:

- 1.) ~~Increase awareness and program integration~~
- 2.) ~~Greater equity involvement focused on Mohawk Cultural Values~~

Indicator: ~~Equity with regard to clean and healthy environment and resources~~

Efficiency:

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Table 11.13.#-1 – Implementation		
Component Name		
Goal: <u>Implement Environmental Justice and Environmental Equity goal into Environmental Division Programs.</u>		
Objectives	Time Period	
	Begin	End
Objective 1: <u>Coordinate efforts amongst NRDA, Site-Specific, Air, and Water Environment Division Programs to determine extent of environmental degradation of the environment and natural resources of the St. Regis Mohawk Territory.</u>	2006	2010
<u>Objective 2: Coordinate efforts amongst SRMT Environment Division Program Managers, EPA Regional Program Managers and EJ Coordinator to integrate Mohawk cultural elements in its technical and management decisions and actions to promote Region 2 inclusion of Environmental Justice.</u>		
Objective 3:		
Objective 4:		

Measurements for Evaluating Results: <u>Increase awareness and program integration</u> <u>Greater equity involvement focused on Mohawk Cultural Values</u>
Indicators: <u>Equity with regard to clean and healthy environment and resources.</u>
Efficiency: <u>Greater inter-department and inter-agency awareness and cooperation.</u>

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Goal: ~~Analyze Environmental Justice and Environmental Equity issues for Akwesasne.~~

~~Objective: Work with USEPA Region II Environmental Justice Coordinator and other government agencies to collaborate data on Akwesasne parameters, health information, and environmental burden to produce a comprehensive documented analysis for Akwesasne that is approved by the Tribe and the Community.~~

Objective: Transcend Political Boundaries to include Akwesasne parameters and Territories in Ontario and Quebec into the Environmental Justice Analysis to include all environmental burdens that affect the Mohawk community.

Objective: Evaluate the laws and governmental process in place which address identified environmental concerns

Objective: Ensure just consultation in all existing environmental process, and establish procedures for the application of administrative measures in instances where consultation has been neglected.

Objective: Evaluate economic support for the Environment Division initiatives in comparison with various Indian Nations, and governmental agencies in order to ensure just resources fro environmental protection and initiative implementation.

Long Term Measures:

Indicators: Justice and Equity in administration of national environmental initiatives

Efficiency:

Table 11.13.2# - Component Name Analysis

Goal: Analyze Environmental Justice and Environmental Equity issues for Akwesasne.

Objectives	Time Period	
	Begin	End
Objective 1: <u>-Work with USEPA Region II Environmental Justice Coordinator and other government agencies to collaborate data on Akwesasne parameters, health information, and environmental burden to produce a comprehensive documented analysis for Akwesasne that is approved by the Tribe and the Community.</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Transcend Political Boundaries to include Akwesasne parameters and Territories in Ontario and Quebec into the Environmental Justice Analysis to include all environmental burdens that affect the Mohawk community.</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Evaluate the laws and governmental process in place which address identified environmental concerns</u>	<u>2006</u>	<u>2010</u>
Objective 4: <u>Ensure just consultation in all existing environmental processes, and establish procedures for the application of administrative measures in instances where consultation has been neglected.</u>	<u>2006</u>	<u>2010</u>
Objective 5: <u>Evaluate economic support for the Environment Division initiatives in comparison with various Indian Nations, and governmental agencies in order to ensure just resources for environmental protection and initiative implementation.</u>	<u>2006</u>	<u>2010</u>
Measurements for Evaluating Results:		
Indicators: <u>Justice and Equity in administration of national environmental initiatives</u>		
Efficiency:		

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Goal: Provide Community Awareness on Environmental Justice and Equity.

Objective: Educate and involve Mohawk Community Member through media, meetings, community events, health clinics, etc. to provide for meaningful involvement on environmental issues affecting Akwesasne.

Objective: Develop a Focus Group of Akwesasne Community members to remain informed of most recent data and progress on industrial remedial actions and other activities of Hazardous Wastes or Material that affect Akwesasne so that they may participate in the development, enforcement, and implementation of environmental laws, regulations, and policies.

Objective: Act as liaison for the Environment Division on Environmental Justice issues and work with appropriate government and legal representative to ensure the goal and objectives for justice are met.

Indicators: Meaningful Public Involvement in regards to development, implementation, enforcement of environmental laws, regulations, and policies.

Efficiency:

Table 11.13.#-3 – Component NameAwareness

Goal: Provide Community Awareness on Environmental Justice and Equity.

Objectives	Time Period	
	Begin—	End
Objective 1: <u>Educate and involve Mohawk Community Members through media, meetings, community events, health clinics, etc. to provide for meaningful involvement on environmental issues affecting Akwesasne.</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>-Develop a Focus Group of Akwesasne Community members to remain informed of most recent data and progress on industrial remedial actions and other activities of Hazardous Wastes or Material that affect Akwesasne so that they may participate in the development, enforcement, and implementation of environmental laws, regulations, and policies.</u>	<u>2006</u>	<u>2010</u>
Objective 3: <u>Act as liaison for the Environment Division on Environmental Justice issues and work with appropriate government and legal representative to ensure the goal and objectives for justice are met.</u>	<u>2006</u>	<u>2010</u>
Objective 4:		
Measurements for Evaluating Results:		
Indicators: <u>Meaningful Public Involvement in regards to development, implementation, enforcement of environmental laws, regulations, and policies.</u>		
Efficiency:		

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11.14

11.7—ENVIRONMENTAL PLANNING

Environmental planning is vital to the overall management of the Tribes resources. The scope of environmental planning is broad ~~in scope~~ and considers the management of Tribal resources on many levels. Planning is necessary for allocation of resources in the Divisions but is also important to ensure environmental concerns are addressed at operational levels. The development of a PPA is part of environmental planning.

Goals and Objectives

- 1) Plan for the environmental future of the reservation
 - a) Develop long and short term strategic plans and cooperative agreements
 - i) PPA
 - ii) Individualized programs
 - (1) Cooperative agreements
 - (2) Memoranda of Understanding
- 2) Integrate environmental planning into Tribal operations
 - a) Work with Tribal administration and Tribal departments
 - b) Provide public and community awareness on environmental planning

Long term Measurements: Increased awareness; integration into tribal operations.

Indicators:

- ☐ Comprehensive Integrated environmental management
- ☐ Program efficiency

Efficiency: Collaboration with Tribal programs.

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Table 11.14.1# - Component NameLong-term environmental planning		
Goal: Plan for the environmental future of the reservation		
Objectives	Time Period	
	Begin	End
Objective 1: Develop long and short term strategic plans and cooperative agreements	2006	2010
Sub-objectives: PPA		
Individualized programs		
Objective 2: Cooperative agreements	2006	2010
Objective 3: Memoranda of Understanding	2006	2010
Objective 4:		

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Measurements for Evaluating Results: <u>Achievement of environmental goals.</u>
Indicators: <u>Reduction in environmental impacts on the environment.</u>
Efficiency:

Table 11.14.2 – Overall Environmental Planning		
Goal: <u>Integrate environmental planning into Tribal operations</u>		
Objectives	Time Period	
	Begin	End
Objective 1: <u>Work with Tribal administration and Tribal departments</u>	<u>2006</u>	<u>2010</u>
Objective 2: <u>Provide public and community awareness on environmental planning</u>	<u>2006</u>	<u>2010</u>
Measurements for Evaluating Results: <u>Increased awareness; integration into tribal operations.</u>		
Indicators: <u>Comprehensive Integrated environmental management; Program efficiency</u>		
Efficiency: <u>Collaboration with Tribal programs.</u>		

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11.15 11.7.1—BUILDING AND LABORATORY(Green office building for Environment and Administration offices)

11.15.1 Environmental Office

The Tribe's Environment Division has experienced dramatic growth in the past decade, growing from as little as 2 staff members to 272. The scope of work performed by the Division staff is wide and varied, including air quality, water quality, solid waste, hazardous materials superfund, natural resource damages, special studies, wetlands, emergency response and technical support services. The Division has outgrown its current facilities and requires space that is designed to meet current and projected needs. This building is envisioned to be a model for space and use efficiency, providing staff with well designed and comfortable surroundings as well as be one that is environmental friendly, a green building.

Goals and Objectives

- 1) Determine current and project building requirements
 - a) Professional analysis of building needs
 - b) Establish building committee
 - c) Determine locational requirements
- 2) Building Design
 - a) Hire building design consultant
 - i) Incorporate green building concepts
 - b) Project costs and budgets
 - c) Analyze and access financial resources
- 3) Building Construction
 - a) Construction management

Table 11.15.1 – Environmental Office		
Goal: Plan and Construct a “Green” Environmental Division facility.		
Objectives	Time Period	
	Begin	End
Objective 1: Determine current and project building requirements	2006	2010
Sub objectives: Professional analysis of building needs		
Establish building committee		
Determine locational requirements		
Objective 2: Building Design	2006	2010
Sub objectives: Hire building design consultant		
Incorporate green building concepts		
Objective 3: Project costs and budgets	2006	2010
Sub objective: Analyze and access financial resources		
Objective 4: Building Construction	2006	2010
Objective 5: Construction management	2006	2010
Measurements for Evaluating Results:		
Indicators:		
Efficiency:		

11.15.2 LABORATORY

The Tribe’s Environment Division programs require frequent chemical analyses of air, water, soil and other media. Outside laboratories are currently utilized for analytical services. Establishment of in-house environmental laboratory capability facilitates tribal capacity and may reduce overall analytical costs and provide additional employment opportunities for the reservation. The Tribe envisions development of laboratory capability in a phases, establishing basic laboratory capability with inorganic analyses first and then working toward organic capability.

Goals and Objectives

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1. Develop environmental laboratory capacity of the Division

- a. Assess overall program needs
- b. Assess resource requirements
- c. Research funding resources

2. Develop laboratory management plan and operations budget

- a. Develop Operational protocols
 - b. Tie lab management system in QA
 - c. Establish laboratory accreditation strategy
3. Phase I

- a. Establish inorganic analytical capability

4. Phase II

- a. Establish organic analytical capability

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Table 11.15.2.#.-1 – Component NameAnalytical Capacity Development		
Goal: <u>Develop environmental laboratory capacity of the tribe</u>		
Objectives	Time Period	
	Begin	End
Objective 1: <u>Assess overall program analytical requirements</u>	2006	2010
Objective 2: <u>Assess resource requirements</u>	2006	2010
Objective 3: <u>Research potential resources</u>	2006	2010
Objective 4:		
Measurements for Evaluating Results:		
<u>Facts and figures on laboratory space and personnel requirements, costs and management system.</u>		
Indicators: <u>Project for long-term needs.</u>		
Efficiency:		

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Table 11.15.2.2 – Laboratory Management		
Goal: <u>Develop laboratory management plan and operations budget</u>		
Objectives	Time Period	
	Begin	End
Objective 1: <u>Develop Operational protocols</u>	2006	2010
Objective 2: <u>Tie lab management system in QA</u>	2006	2010
Objective 3: <u>Establish laboratory accreditation strategy</u>	2006	2010
Measurements for Evaluating Results: <u>Protocols development, quality data generation, achievement of lab credentials.</u>		
Indicators: <u>Investments in Mohawk Tribal lab resources.</u>		

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Efficiency:

Table 11.15.2.3 – Establish Analytical program

Goal:		
Objectives	Time Period	
	Begin	End
Objective 1: Phase I Establish inorganic analytical capability	2006	2010
Objective 2: Phase II Establish organic analytical capability	2006	2010
Measurements for Evaluating Results: Reduction in analytical costs to outside contractors. Acquisition of analytical equipment by tribe. Increased number of Tribal members with laboratory and technical skills.		
Indicators: Investment in Mohawk resources for laboratory analyses. Number of types of organic and inorganic analyses performed.		
<u>Efficiency:</u>		

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APPENDICES

Appendix A

Tribal Goals

Having a plan provides an understanding of anticipated resources needed to achieve stated goals. A plan provides an outline of the steps required to achieve goals through understanding of the personnel, training, equipment and other needs required to reach a goal. It also provides a means by which success or progress can be measured and demonstrated so that current status can be assessed and changes made if necessary to remain on the right path.

In 1992 the St. Regis Mohawk Tribe hired a consultant to develop an environmental needs assessment for the Division. The consultant conducted surveys and inspections to determine environmental impacts to the reservation, their degree and level of impact, a prioritization and establishment of a management plan. In revisiting these impacts it seems clear that they are still applicable today and will be considered in structuring this PPA.

The assessment focused on:

- St. Lawrence River and Watershed and Seaway Impacts
 - Dredging
 - Shipping Accidents and potential spills
- Offsite Industrial Impacts (Massena and Cornwall)
 - Air Emissions

Water Discharges
Industrial Hazardous Wastes
Fish and Wildlife Contamination
Human exposure to hazardous substances and their toxicology

On Reservation Bulk Petroleum Storage Impacts
Potential Impacts
Previous Spills requiring clean-up action
Wetlands Protection
Solid Waste Management
Geological and ~~Hydrogeological~~Hydro geological issues

For a short period during the mid 1990's the Akwesasne Local Working Group, formed to discuss environmental quality with the USDA-Natural Resources Conservation Service (NRCS) formulated several priorities of their own. These priorities were largely natural resource based but also tended to overlap with environmental protection concerns as well. Priorities identified by the working group were:

Land Use – Concerns about development, loss of agricultural land and productive land; revitalizing agriculture; ensuring integrity of family and subsistence gardens; wetlands filling.

Soil – Low permeability soils and heavy clays, poor drainage, septic system failures.

Water – Surface and ground water pollution from industrial sources, septic systems and petroleum products.

Air – Industrial emissions and impacts to crops and medicinal plants.

Plants – Protection of high value plants used for medicine, crafts and other cultural uses.

Animals – Protecting and maintaining livestock health, protection of wildlife.

Human – Maintaining Mohawk culture through preservation of traditional land use and horticultural practices.

Appendix B

Community Goals

[To be developed through community participation Quarter 1 2004]

Appendix C

EPA National Strategic Plan

The EPA has set clear priorities to achieve protection of human health and the environment for the years 2003 to 2008 in their National Strategic Plan. By establishing goals and developing a plan for achieving them, EPA has taken the first step toward meeting their priorities.

Goal 1: Clean Air and Global Climate Change. Protect and improve the air so that it is healthy to breathe and risks to human health and the environment are reduced. Reduce greenhouse gas intensity by enhancing partnerships with businesses and other sectors. Strategy: Employ federal, state, tribal, and local governmental regulatory, market-based and voluntary approaches and programs. EPA provides technical and financial assistance.

Goal 2: Clean Water and Safe Water. Ensure drinking water is safe. Restore and maintain oceans, watersheds, and their aquatic ecosystems to protect human health, support economic and recreational activities, and provide healthy habitat for fish, plants and wildlife. Strategy: Maintain core measures and look for new ways to improve water quality and protect human health. Reduce human exposure to contaminants in fish and water; improve water and sediments quality; restore water quality; assess need for new or revised drinking-water standards.

Goal 3: Land Preservation and Restoration. Preserve and restore land by using innovative waste management practices and cleaning up contaminated properties to reduce risks posed by releases of harmful substances. Strategy: work to preserve and restore the land using the most effective waste management and cleanup methods available; reducing waste at its source, recycling waste, managing waste effectively by preventing spills and releases of toxic materials and cleaning up contaminated properties. Pay attention to sensitive populations, such as children elderly, chronically ill.

Goal 4: Healthy Communities and Ecosystems (cross media). Protect, sustain, or restore the health of people, communities, and ecosystems using integrated and comprehensive approaches and partnerships. Strategy: Bring together a variety of programs, tools, approaches and resources; create strong partnerships with federal, state, tribal and local government agencies; enlist support of stakeholders. Protect human health, communities, and ecosystems from pesticide use by reducing exposure to the pesticides posing the greatest risk. Ensure that the availability of pesticides and anti-microbial products meet the latest safety standards. Prevent and reduce chemical and biological organism risks to humans, communities and ecosystems. Chemical facility risk reduction and community planning.

Goal 5: Compliance and Environmental Stewardship. Improve environmental performance through compliance with environmental requirements, preventing pollution, and promoting environmental stewardship. Protect human health and the environment by encouraging innovation and providing incentives for governments, businesses, and the public that promote environmental stewardship. Strategy: Compliance through voluntary and self directed actions to minimize or eliminate pollution. Use science and research more strategically and effectively to inform Agency policy decisions to guide compliance, pollution prevention and environmental stewardship.

Cross-goal Strategies: The EPA has established strategies for cross-media work including Partnerships, Information, Innovation, Human Capital, Science, Homeland Security and

Economic and Policy Analysis. The strategies are designed to contribute to progress in all five goals.

In renewing the PPA it is important to consider EPAs strategic plan to ensure that the goals are integrated into those established in the PPA as appropriate.

EPA's strategic plan includes measures to strengthen relationships and partnerships with Tribes; Implementing reforms that make government citizen centered, results-oriented and market based. EPA's strategic plan also reflects the President's Management agenda that includes initiatives; strategic management of human capital, competitive sourcing, expanded electronic government, improved financial performance and budget and performance integration.

In implementing its goals under the PPA the Division must remain cognizant of the strategic plan as well as these reforms and initiatives to meet its fiduciary responsibilities and remain accountable not only directly to the Federal government because the fund the effort, but also and primarily because it is a steward of funds that are to benefit the community.

The Division will implement measures to ensure that its staff is familiar with the EPAs Strategic Plan, reforms and initiatives so that they can be considered in work plan development as well as program planning.

The National Strategic Plan also is looking to improving and strengthening grants management and improving accountability. These the Division ~~recognize~~recognizes and agree upon as being critical to ensuring continued support of its efforts and ensuring the greatest cost effectiveness possible. This is of particular importance as programs continue to expand and resources allocations remain static or even sometimes diminish.

Appendix D

Regional Strategic Plan

The Region 2 Strategic Plan expresses Region 2 views of the region's most pressing environmental issues (Regional Priorities), and Region 2's approach to resolving them. The Region 2 strategic plan emphasizes partnerships and working together with states and Tribes to resolve environmental challenges.

Region 2 has structured their plan into 5 chapters:

1. Regional Priorities
2. Regional Strategies for Achieving National Goals and Objectives
3. Cross cutter/enabling strategies
4. Accountability (measurements of success)
5. Partnership with States and Indian Nations

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The Regional plan is designed to complement the National Strategic Plan, provide for measurable and understandable goals, ~~provide~~and provide for new and more creative ways to achieve the goals and to allow the region to work closely with Indian Nations. The regional goals may be utilized to inform and influence the national policies, and to drive PPAs and project work plans.

Appendix E

Leavitt's ~~500-Day~~500-Day Strategic Plan

With the confirmation of Governor Leavitt as the EPA administrator has come some new ideas, including a 500-day plan, which he has instructed his managers to follow in achieving EPA's mission. It is considered a dynamic plan with long and ~~short-term~~short-term actions. The 500-day plan began with air quality and will be extended to all strategic goals. Leavitt's 500-day plan is based on what he has termed "Enlibra Principles".

The philosophy emphasizes collaboration instead of polarization, national standards and neighborhood solutions, markets instead of mandates, solutions that transcend political boundaries, and other common sense ideas that will accelerate environmental progress.

- National Standards, Neighborhood Solutions - States, Tribes and local governments have the flexibility to develop their own plans to achieve the national standards, and to provide accountability; these plans consider localized ecological, economic, social and political factors and receive more public support and involvement and therefore can reach national standards more efficiently and effectively. Governments at all levels are encouraged to reward innovation and support empowerment for any entity that can meet or exceed standards and goals through local or regional plans.
- Collaboration, Not Polarization – Use of collaborative processes to break down barriers and find solutions. Goals are best accomplished through balanced, open and inclusive approaches at the ground level, where stakeholders work together to formulate critical issue statements and develop solutions. Collaborative approaches often result in greater satisfaction with outcomes and broader public support at less cost, and better long-term stakeholder involvement. Public and private interests may need to provide resources to ensure these local collaborative processes are transparent, have broad participation and are supported with good technical information.
- Reward Results, Not Programs - Move to a performance-based, instead of process-based, system. A clean and safe environment will best be achieved when government actions are focused on outcomes, not programs and processes, and when innovative approaches to achieving desired outcomes are rewarded. Federal, state and local policies should encourage "outside the box" thinking in the development of strategies to achieve desired

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outcomes. Solving problems, rather than just complying with programs, should be rewarded.

- Science For Facts, Process for Priorities - Separate subjective choices from objective data gathering. Environmental science is complex and uncertainties often exist. Competing interests usually point to data supporting their view and ignore or attack conflicting or insufficient information. This results in polarized positions, interferes with reconciling the problems, and may leave stakeholders in denial. Public confidence declines and the stridency of debate increases. A much better approach is to reach agreement on the underlying facts as well as the range of uncertainty surrounding the issue before framing the choices. A public, balanced and inclusive collaborative process should be used, with a range of respected scientists and peer-reviewed science. If agreement on scientific facts cannot be reached, decision-makers must evaluate the differing information and make the difficult policy choices.
- Markets Before Mandates - Pursue economic incentives whenever appropriate. Market-based approaches and economic incentives often result in more efficiency at less cost, and may lead to less resistance and more rapid compliance. These win-win approaches reward environmental performance, promote economic health, encourage innovation and increase trust among all stakeholders.
- Change a Heart, Change a Nation - Environmental education and understanding are crucial. Governments at all levels can develop policies, programs and procedures to protect the environment. But the success of these policies ultimately depends on the daily choices of citizens. Beginning with the nation's youth, people need to understand their relationship with the environment. They need to understand the importance of sustaining and enhancing the natural world for themselves and future generations. Government has a role in educating people about stewardship of natural resources.
- Recognition of Benefits and Costs - Make sure all decisions affecting infrastructure, development and environment are fully informed. Environmental decisions should be guided by an assessment of the true costs and true benefits of different options, including life-cycle costs. These assessments can illustrate advantages of various methods of achieving common public goals. However, not all benefits and costs are measured in dollars. Non-economic factors, such as equity within and across generations, should also be fully considered in every assessment. Options should consider all social, legal, economic and political factors, while ensuring that neither quantitative nor qualitative factors dominate.
- Solutions Transcend Political Boundaries - Use appropriate geographic boundaries to resolve problems. Many environmental challenges fall within natural geographic locations, but most cross political and agency boundaries. Focusing on the natural boundaries of the problem helps identify the appropriate science, possible markets, cross-border issues, and the full range of affected interests and governments that should

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participate and facilitate solutions. Voluntary interstate strategies as well as other partnerships are important tools as well.

Appendix F

USEPA Environmental Justice Policy

1.0 POLICY OVERVIEW

1.1 Purpose and Framework of the Interim Policy

The mission of the U.S. Environmental Protection Agency is to protect human health and to safeguard the natural environment -- air, water, and land -- upon which life depends. As part of its mission, EPA's purpose is to ensure that:

- All people are protected from significant risks to human health and the environment where they live, learn and work.
- Federal laws protecting human health and the environment are enforced fairly and effectively.
- All parts of society—communities, individuals, industry, state and local governments, tribal governments—have access to accurate information sufficient to effectively participate in managing human health and environmental risks.
- Environmental protection contributes to making our communities and ecosystems diverse, sustainable and economically productive.

EPA Region 2 is committed to providing equal protection to all communities we serve. Accordingly, Region 2 is incorporating Environmental Justice (EJ) in its technical and management decisions and actions. In accordance with the President's Executive Order 12898 ("EO")¹, this Region 2 Interim Environmental Justice Policy (*Interim Policy*) has been developed to assist in the achievement of this goal.

It is the Region's intent to use the Interim Policy to ensure that we can identify, target, and be responsive to those communities that experience disproportionately high and adverse human health and environmental burdens. Further, the Region is committed to ensuring that all the communities and stakeholders we serve have environmental protection and liveable, sustainable communities.

The Region believed it was essential for the Region to solicit input from our stakeholders in the development of this policy. In this regard, the initial draft Interim Policy was subjected to internal/external peer review and public comment. Further, input from those reviews has been used to shape this revised policy.

It is not Region 2's intention to pre-designate environmental justice communities or areas. Instead, the Region intends to respond to community concerns and to be able to identify communities where EJ concerns may arise (i.e., *potential* EJ communities or areas) to ensure that our core program activities are resulting in equitable treatment. Therefore, it is essential for

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Regional managers and staff to understand and become aware of the situations and instances in which environmental justice issues may arise. In this regard, it is important to note that environmental justice issues often surface in a multi-media, multi-source and socio-economic context or scenario as opposed to a single media scenario. For instance, it is more the exception than the norm to have an environmental justice complaint or issue that is limited to a single problem, such as a community's drinking water. In this regard, the Interim Policy provides for analyses of both single and multi-media issues.

The following Guiding Principles and Concepts have served to shape the Region's Environmental Justice Program and initiatives:

- *Equal Protection is the objective;*
- *"Early and Meaningful" involvement of the affected community is essential;*
- *A community's "perception" is its reality;*
- *Solutions require all stakeholders to participate at the table;*
- *Meetings must be convenient for the affected community;*
- *Look at existing environmental regulations, statutes, policies to incorporate and consider EJ; and*
- *"Environmental Justice is a Matter of Fairness" - - Jeanne M. Fox, Regional Administrator.*

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In addition to this interim policy, EPA's Office of Environmental Justice is working towards the development of a national Environmental Justice guidance which may supersede or supplement this policy. Until, the Agency issues final guidance in this area, the Region believes the Interim Policy will enable our staff to more fairly and effectively carry out Region 2's programs and initiatives consistent with the EO. Lastly, the Region considers this Interim Policy to be a "living document," and as such, we will periodically gauge the scope of the document based on the progress of its implementation.

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1.2 Scope of the Interim Policy

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This Interim Policy delineates the approach and methodology Region 2 will use to evaluate and assess environmental justice (EJ) communities and their concerns. Specifically, the Interim Policy includes the Region's Environmental Justice Policy Statement and our guidance with respect to the following areas: *Permitting, Enforcement, Community Involvement, and the Superfund program*. Throughout the development of this Interim Policy, it has been the Region's expectation that such guidelines will provide the steps and tools Regional managers and staff can utilize toward conducting EJ analyses to determine potential and actual EJ communities or areas. As the Region proceeds along in the implementation of this Interim Policy, further considerations may be given to broaden the scope to include additional program guidance.

1.3 Environmental Justice Terms and Definitions

What is Environmental Justice? The Office of Environmental Justice in EPA

Headquarters (OEJ) has issued the following interim EJ definition:

Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.²

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The EO specifically addresses situations where minority or low-income communities bear a disproportionately high and adverse human health or environmental burden. In addition, it directs federal agencies to take steps to prevent, as a result of federal programs, policies, and activities, "disproportionately high and adverse human health or environmental effects...on minority populations and low-income populations."

This Interim Policy uses terms³ and definitions that may not be the preferred usage or terminology for many of our stakeholders, but which the Region uses in order to be consistent with other federal government agencies and the EO. In addition, Region 2 uses the terms "EJ Area" or "EJ Community" interchangeably to describe a community that satisfies the intent of the EO. Also, the Region uses the term "Community of Concern (COC)" to refer to a community that is the subject of an EJ analysis. For a listing of the most commonly used terms (including definitions) in this Interim Policy, refer to Appendix 3 (Glossary of Terms).

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1.4 The Environmental Justice Analysis

The Guidelines for Conducting Environmental Justice Analyses (Section 2.0 of the Interim Policy) describes a process for conducting consistent evaluations of potential and actual environmental justice communities. This process includes two steps:

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- conducting demographic screening to identify potential EJ areas that warrant further consideration; and
- conducting site-specific analyses to identify an EJ community to address its concerns.

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The guidelines advance the concept of an environmental load profile (ELP), and the use of a geographic information system (GIS)-based demographic mapping tool to conduct site-specific EJ analyses. The GIS provides for the comparison of three factors between the COC and a statistical reference area: their respective levels of (1) minority representation, (2) low-income representation, and (3) environmental burden. Statistical criteria offer guidance for determining whether the levels of minority or low-income residents and the environmental burden are significantly greater and disproportionately high and adverse in the COC. The environmental load profile (ELP) serves as a representation of the environmental burden in the COC. It also provides a consistent basis for comparison of the COC to the statistical reference area.

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The Procedure (Section 2.2) provides the methodology for identifying the COC, evaluating whether it is a minority and/or low income community, and assessing whether its environmental burden is disproportionately high and adverse. In general, at the conclusion of an EJ analysis, a decision document⁴ will be generated which includes the following:

- boundaries of the Community of Concern, and rationale for its selection;
- identification of the statistical reference area used;
- results for each factor: minority, low-income, and environmental burden;
- comparison of the results for each factor between the COC to the reference area;
- any additional factors that were considered (Sec. 2.3); and
- conclusion of the analysis, incorporating all three factors.

1.5 Program Guidelines

The Guidelines were created to provide Region 2 management and staff with a systematic and consistent approach when an EJ area evaluation is made, or where initial screening indicates the potential for an EJ area identification. The Guidelines articulate responsive measures for the Region's activities of permitting, enforcement, community involvement, and the Superfund program.

It is important to note that the identification of a disproportionately high and adverse human health or environmental effect on a minority population or low-income population does not preclude a proposed agency action from going forward. Rather, at a minimum, the identification of such an effect should heighten the Region's attention to increased community awareness and communication, alternative mitigation strategies, monitoring needs, and preferences expressed by the affected community.

- Guidelines for Conducting Environmental Justice Analyses: These Guidelines for Conducting Environmental Justice Analyses provide guidance and procedures, and identify sources of data for conducting EJ analyses, to evaluate if a community is an EJ community. They provide the Region's managers and staff a consistent, fair and systematic methodology for conducting EJ analyses in conjunction with existing regulations and program protocols.
- Environmental Justice and Permitting Guidelines: The Environmental Justice and Permitting Guidelines provide permitting staff with guidance on how to consider EJ in the context of significant permitting decisions. For purposes of this interim policy, permitting decisions include new major permits, significant permit modifications (except administrative modifications), and major permit renewals.
- Environmental Justice and Enforcement Guidelines: These guidelines are applicable to civil regulatory enforcement. They are intended to assist the Region's enforcement staff to (i) identify EJ communities; (ii) recognize and determine when EJ issues may arise in a particular civil regulatory enforcement matter; and (iii) consider other options in addition

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to enhanced public participation to address EJ in the initiation, prosecution, and resolution of a civil enforcement matter.

- Environmental Justice and Community Involvement Guidelines: These Guidelines outline measures to involve the potentially affected community. They provide suggestions and resources available for regional staff to use to solicit meaningful involvement on the part of our stakeholders early in the public participation process, to keep them appropriately informed on issues, and to assist communities in acquiring and accessing information relevant to them.
- Environmental Justice and the EPA Superfund Program Guidelines: These guidelines provide EPA staff with guidance specific to conduct EJ analyses for new and active sites on the Superfund National Priorities List (NPL).

1.6 Conclusion

Region 2 believes that a robust EJ program should result in early resolution of EJ concerns in affected communities and fewer formal administrative Title VI⁵ complaints being filed. It is also the Region's goal that the implementation of this policy will result in equal environmental protection and liveable, sustainable communities.

Footnotes

1. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," issued by President William J. Clinton on February 11, 1994.
2. Definition of Environmental Justice used in the EPA Office of Federal Activities "Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analysis," (April 1998, p. 2).
3. This policy uses the term "minority" rather than "people of color" in order to be consistent with the Executive Order, but the Region is mindful and sensitive to many communities' desire to be identified as "people of color." In addition, the policy uses the term "American Indian" in referring to all indigenous populations within the Region, regardless of their affiliation with a federally-recognized Tribe. However, EPA staff recognize various terminology preferences and will strive to respect and utilize appropriate language on a case-by-case basis.
4. It is recognized that not all issues will require a full analysis to address the concerns of the community. In those instances, a letter or memorandum may suffice to adequately document the Region's actions.
5. Title VI of the 1964 Civil Rights Act.

Appendix G

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USEPA Public Involvement Policy

[<http://www.epa.gov/publicinvolvement/policy2003/finalpolicy.pdf>]

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EPA's PUBLIC INVOLVEMENT POLICY (Final May 2003)

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Introduction

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EPA's mission is to protect human health and the environment. To achieve that mission, EPA needs to continue to integrate, in a meaningful way, the knowledge and opinions of others into its decision-making processes. Effective public involvement can both improve the content of the Agency's decisions and enhance the deliberative process. Public involvement also promotes democracy and civic engagement, and builds public trust in government.

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EPA has long been committed to public involvement. The fundamental premise of this Policy is that EPA should continue to provide for meaningful public involvement in all its programs, and consistently look for new ways to enhance public input. EPA staff and managers should seek input reflecting all points of view and should carefully consider this input when making decisions. They also should work to ensure that decision-making processes are open and accessible to all interested groups, including those with limited financial and technical resources, English proficiency, and/or past experience participating in environmental decision-making. Such openness to the public increases EPA's credibility, improves the Agency's decision-making processes, and informs its final decisions. At the same time, EPA should not accept any recommendation or proposal without careful, critical examination.

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This Policy supplements, but does not amend, existing EPA regulations that prescribe specific public participation requirements applicable to EPA's activities under specific statutes, such as those found at 40 CFR Part 25 "Public Participation in Programs Under the Resource Conservation and Recovery Act, the Safe Drinking Water Act, and the Clean Water Act." (See 40 CFR Part 25, which can be found at <http://www.epa.gov/publicinvolvement/pdf/part25.pdf>.)

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The public participation requirements contained in such regulations specify the minimum required level of public participation. (A partial listing of existing public participation regulatory requirements is contained in Appendix 3.) Whenever feasible, Agency officials should strive to provide increased opportunities for public involvement above and beyond the minimum regulatory requirements.

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What is Public Involvement?

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The term "public involvement" is used in this Policy to encompass the full range of actions and processes that EPA uses to engage the public in the Agency's work, and means that the Agency considers public concerns, values, and preferences when making decisions. The term "the public" is used in the Policy in the broadest sense to include anyone, including both individuals and organizations, who may have an interest in an Agency decision. (See Appendix 2 for a detailed definition of "public" and other important terms.)

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What Are the Purposes, Goals and Objectives of This Policy?

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The purposes of this Policy are to:

- Improve the acceptability, efficiency, feasibility and durability of the Agency's decisions
- Reaffirm EPA's commitment to early and meaningful public involvement
- Ensure that EPA makes its decisions considering the interests and concerns of affected people and entities
- Promote the use of a wide variety of techniques to create early and, when appropriate, continuing opportunities for public involvement in Agency decisions
- Establish clear and effective guidance for conducting public involvement activities

Effective public involvement will make it easier for the public to contribute to the Agency's decisions, build public trust, and make it more likely that those who are most concerned with and affected by Agency decisions will accept and implement them. This policy supports EPA in meeting statutory and regulatory requirements regarding public participation, particularly in environmental permitting programs and enforcement activities.

EPA goals for public involvement processes are to:

- Foster a spirit of mutual trust, confidence, and openness between the Agency and the public
- Ensure that the public has timely, accessible and accurate information about EPA programs in a variety of formats so that people can better understand the implications of potential alternative courses of action
- Consult with interested or affected segments of the public and take public viewpoints into consideration when making decisions
- Learn from individuals and organizations representing various public sectors and the information they are uniquely able to provide (community values, concerns, practices, local norms, and relevant history, such as locations of past contaminant sources, potential impacts on small businesses or other sectors, industry conducted study results, etc.)
- Solicit assistance from the public in understanding potential consequences of technical issues, identifying alternatives for study, and selecting among the alternatives considered
- Keep the public informed about significant issues and changes in proposed programs or projects
- Foster, to the extent possible, equal and open access to the regulatory process for all interested and affected parties
- Understand the goals and concerns of the public, and respond to them
- Anticipate conflict and encourage early discussions of differences among affected parties
- Promote the public's involvement in the Agency's mission of protecting human health and the environment
- Explain to the public how its input affected the Agency's decision. To achieve these purposes and goals, while recognizing resource constraints,

Agency officials should strive to provide for, encourage, and assist public involvement in the following ways:

- Involve the public early and often throughout the decisionmaking process

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- Identify, communicate with and listen to affected sectors of the public (Agency officials should plan and conduct public involvement activities that provide equal opportunity for individuals and groups to be heard. Where appropriate, Agency officials should give extra encouragement and consider providing assistance to sectors, such as minority and low-income populations, small businesses, and local governments, to ensure they have full opportunity to be heard and, where possible, access to technical or financial resources to support their participation.)
- Involve members of the public in developing options and alternatives when possible and, before making decisions, seek the public's opinion on options or alternatives
- Use public input to develop options that facilitate resolution of differing points of view
- Make every effort to tailor public involvement programs to the complexity and potential for controversy of the issue, the segments of the public affected, the time frame for decision making and the desired outcome
- Develop and work in partnerships with state, local and tribal governments, community groups, associations, and other organizations to enhance and promote public involvement

When Does This Policy Apply?

This Policy applies to all EPA programs and activities. In programs or activities where the public is already meaningfully involved, EPA can use this Policy to enhance that public involvement. Where the existing level of public involvement needs to improve, this Policy provides suggestions for how to move forward.

Finally, this Policy can serve as a model for building public involvement into new programs as they are developed.

The activities where conducting meaningful public involvement should particularly be considered include:

- EPA rulemaking, when the regulations are expected to be classified as Significant Actions (under the terms of Executive Order 12866)
- EPA issuance or significant modification of permits, licenses or renewals
- Selection of plans for cleanup, remediation or restoration of hazardous waste sites or Brownfields properties
- EPA's decision on whether to authorize, delegate or approve states or local governments to administer EPA programs consistent with the relevant regulatory requirements for each program (Note: Tribes seeking approval to administer environmental programs under EPA statutes generally also seek "treatment in a similar manner as a state (TAS)" status from EPA. Appropriate opportunities for public participation are contained in the relevant statutory and regulatory provisions establishing a TAS process. Consult with the Office of Regional Counsel or the Office of General Counsel, and/or the American Indian Environmental Office for assistance.)
- All other policy decisions that the Administrator, Deputy Administrator or appropriate Assistant, Regional or Associate Administrator determine warrant public participation in view of EPA's commitment to involve the public in important decisions
- The development of significant information products (as the Office of Environmental Information has defined them in Appendix 2: Definitions)

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• For activities not listed here, EPA staff may use this Policy in whole or in part to strengthen decision making. In planning and conducting public involvement activities, Agency officials should rely on the sound use of discretion. The Policy is not a rule, is not legally enforceable, and does not confer legal rights or impose legal obligations upon any member of the public, EPA or any other agency. Resource constraints, the need for timely action and other considerations may affect the appropriate nature and extent of public involvement. For example, a compelling need for immediate action may make it appropriate to limit public involvement. In particular, the desire to reach agreement among all parties, while valuable, should not prevent the Agency from carrying out its responsibility to make decisions or take actions to preserve and protect the environment and public health.

Nevertheless, the Agency should approach all decision making with a bias in favor of significant and meaningful public involvement. Experience throughout government has shown that a lack of adequate participation or of effective means for participation can result in decisions that do not appropriately consider the interests or needs of those that will be most affected by them. Furthermore, early involvement can ultimately reduce delay, by avoiding time-consuming review, public debate or litigation. Finally, decisions based on meaningful public involvement are likely to be better in substance and stand the test of time, avoiding the need to reopen controversial issues.

Does This Policy Affect Authorized, Approved or Delegated Programs?

EPA developed this Policy for EPA staff use, but it also may be useful to States, Tribes and local governments that implement federally delegated, authorized or approved programs. EPA encourages these entities to adopt similar public involvement policies if they have not already done so. EPA intends to discuss the effectiveness of their public involvement activities during periodic meetings with States, Tribes and local governments, and will obtain their input about ways to improve EPA's activities. EPA will not use whether a State, Tribe or local government has adopted EPA's Public Involvement Policy as a criterion for the authorization, approval or delegation of programs or the award of grants. In general, recipients may use grants for continuing environmental programs and Performance Partnership Grants to fund public involvement activities to the extent that costs are allowable under OMB Circular A-87 and applicable EPA regulations. (Note: Some statutory or regulatory provisions require compliance with certain public participation requirements before EPA may approve a grant. See 40 CFR 25.11 and 25.12.) The grant applicant may comply with such requirements without adopting EPA's Policy.

What are the Roles of States, Tribes and Local Governments?

State agencies, Tribes and some local governments have unique roles regarding EPA's programs and decisions:

1. State agencies, Tribes and some local governments may be co-regulators with EPA. In some cases, they implement authorized, approved or delegated Federal programs. In other cases, they run independent, but closely-related programs. In both cases they work closely with EPA as regulatory partners, and EPA will consult them as appropriate when implementing this Policy. In addition, they may have expertise that can be valuable to EPA in designing public involvement activities.

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2. State agencies, Tribes and local governments also may be regulated parties when they undertake activities that are subject to Federal laws and regulations. As regulated parties, they are also members of the community of regulated stakeholders, and would benefit from the application of the Policy like other regulated parties.

3. Whether they are partners helping EPA implement a program or members of the regulated community affected by EPA regulations, state agencies, Tribes, and regional and local governments often play an active role in making recommendations on policies, rules, plans and recommendations under development, and providing input on EPA's decisions. The role of Tribes is unique in another way. Each federally-recognized Tribal government is a sovereign entity that has an individual government-to-government relationship with the federal government. EPA should coordinate and consult meaningfully with Tribes to the greatest extent practicable for agency actions that may affect the tribes. This Policy complements EPA's efforts to consult with Tribes. See Executive Order 13175, Consultation and Coordination With Indian Tribal Governments November 6, 2000.

Consultation should be a meaningful and timely two-way exchange with Tribal officials that provides for the open sharing of information, the full expression of Tribal and EPA views, a commitment to consider Tribal views in decision making, and respect of Tribal self-government and sovereignty. The Agency should allow comment from Tribes early in the planning process and prior to making a decision. However, consultation does not imply that the Tribes or any other non-EPA entities that are consulted can stop an Agency action by withholding consent.

How Does the Policy Relate to Environmental Justice?

This Policy complements and is consistent with EPA's environmental justice efforts. "Environmental Justice" is the fair treatment of people of all races, cultures, and incomes, including minority and/or low-income communities and Tribes, with respect to the development, implementation, and enforcement of environmental laws and policies, and their meaningful involvement in the decision-making processes of the government. Environmental justice is achieved when everyone, regardless of race, culture or income, enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn and work. This includes ensuring greater public participation in the Agency's development and implementation of its regulations and policies. (Memorandum from EPA Administrator Christine Todd Whitman, dated August 9, 2001, "EPA's Commitment to Environmental Justice.") (See also, Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, dated February 11, 1994.) Thus, ensuring meaningful public involvement advances the goals of environmental justice.

EPA's Seven Basic Steps for Effective Public Involvement

The EPA should ensure that it conducts meaningful public involvement activities and implements all public involvement provisions required by statute.

There are seven basic steps to consider when planning for public involvement. Agency officials should exercise judgment and carefully consider the particular circumstances of each situation in determining how to carry out those steps.

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Agency staff and managers should strive to provide the most meaningful public involvement opportunities appropriate to each situation. Agency officials should consider the issues, locations, potential environmental and human health consequences of the activities, potential for controversy, specific needs of the public and the Agency, and other circumstances when designing public involvement processes. For instance, enhanced opportunities for public involvement should be created for those situations in which there is the potential for greater environmental or human health consequences or controversy. It is important to note that the Agency needs to set priorities for its use of resources, and that budgetary constraints may affect the implementation of any of these elements.

The seven basic steps for effective public involvement in any decision or activity are:

1. Plan and budget for public involvement activities
2. Identify the interested and affected public
3. Consider providing technical or financial assistance to the public to facilitate involvement
4. Provide information and outreach to the public
5. Conduct public consultation and involvement activities
6. Review and use input and provide feedback to the public
7. Evaluate public involvement activities

The recommended goals, actions and methods for each of these steps are described in Appendix

1, Guidance for Implementing Public Involvement at EPA, at <http://www.epa.gov/publicinvolvement/policy2003/guidance.pdf>.

Who is Responsible for Managing the Application of this Policy?

Under the overall direction of the Administrator, and consistent with this policy, Assistant, Regional and Associate Administrators are responsible for ensuring that their managers and staff encourage and facilitate public involvement in programs and activities. Public involvement should be an integral part of any Agency program. Moreover, the Agency should strive to achieve public involvement that is commensurate with the potential impact of the activity. The Assistant, Regional or Associate Administrators should make certain that concerns about the adequacy of public involvement are heard and, where necessary, acted upon as resources allow. Managers should encourage and facilitate the proper training, support and counseling of staff, and, recognizing overall budgetary constraints, should plan for and provide adequate funding for training or other needs in their specific budgets. (See more detailed responsibilities section in Appendix 1 at <http://www.epa.gov/publicinvolvement/policy2003/guidance.pdf>.)

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